

30-09-2012

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March 6, 2012

Canadian Civil Liberties Association
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Please find enclosed a copy of a series of articles about the suppression of discussion of the Palestinian issue and suppression of information on the violation of Palestinian human rights. I have included a report prepared by the Canadian Civil Liberties Association on the attempt to suppress discussion of the Palestinian issuer at the University of Western Ontario back in 1982-1983.

As I said on the telephone back in January 2012 there have been attacks made on many individuals and organizations who have expressed concern over the human rights violations of the Palestinians. I was attacked for posting articles supporting human rights for the Palestinians and critical of the policies of the Israeli government toward the Palestinians by supporters of Israel on the Law Union List Serve, on the Refugee Law Association list serve and also on the Canadian Bar Association Citizenship and Immigration list serve. Attempts were made to ban me from those lists or to attempt prevent the posting of articles on Palestinian Human Rights.

I was attempting to spread information about the violation of Palestinian human rights to Immigration and Refugee lawyers who should be familiar with human rights violations in other contexts and for them to make the appropriate connections. I also submitted information to the Law Union as the lawyers who are there are supposed to be progressive and concerned with human rights violations.

A large part of this initiative was in response to the Parliamentary Committee to Combat Anti-Semitism which appeared to be arguing or taking the position that

criticism of Israel or Zionism was anti-Semitic. This pseudo Parliamentary group recently issued the Ottawa Protocol on Anti-Semitism The Press Release dated September 19, 2011 states:

Canada Gets Tough on Anti-Semitism

The government of Canada took an historic step Yesterday by signing the Ottawa Protocol to Combat Anti-Semitism. By doing so, it recognized anti-Semitism as a Pernicious evil and a global threat against the Jewish People, the State of Israel and free, democratic countries everywhere. As Prime Minister Stephen Harper has noted "Those who would hate and destroy the Jewish people would Ultimately hate and destroy the rest of us as Well."

The protocol is a declaration that hatred of This nature will not be tolerated in this country. It sets Out an action plan for supporting initiatives that combat Anti-Semitism and provides a framework for other nations to Follow.

It also sets out a vibrant definition of Anti-Semitism which, for the first time in history, links Anti-Semitism to the denial of the right Jewish people have To their ancestral home land -- the State of Israel. This, In fact, is what sets post-World War Two anti-Semitism apart From its historic roots. Today's anti-Semitism is all about Denial: denial of the legitimacy of Zionism as a Jewish Movement to reclaim the land of Israel; denial of a Jewish History in connection to the holy land and, in particular, The centrality of Jerusalem to the Jewish people; denial of The Holocaust (while at the same time accusing Jews of Nazism); and denial of Jews to live free of anti-Semitism, Hate and intolerance.

<http://www.cic.gc.ca/English/department/media/releases/2011/2011-09-19.asp>

<http://www.antisem.org/archive/ottawa-protocol-on-combating-antisemitism/>

I wrote an article which was published in Outlook, published in the Jewish Outlook Society, "Is it anti-Semitic to Defend Palestinian Human Rights?" Part One, Outlook, November-December, 2009 pp. 17-18 and p. 35; Part two Is it anti-

Semitic to Defend Palestinian Human Rights?," was published in Outlook, January-February, 2010, pp 17-19. This article was also published in a number of other places ~~including~~. This article was submitted to The Canadian Parliamentary Coalition to Combat Antisemitism and was also published in The Canadian Charger, Media Monitors Network, The Dominion (Canada) and a number of other ezines. A slightly revised version was published as a chapter of a book published by The Canadian Charger responding to The Canadian Parliamentary Coalition to Combat Antisemitism.

Rabble also published an excerpt titled, "Suppressing dissent on campus?," by Edward C. Corrigan Rabble.ca, September 1, 2009. I also published another article related to this issue; "Is Anti-Zionism Anti-Semitic? Jewish Critics Speak," Middle East Policy, Winter 2009, pp. 132-145. I have attached the articles titles and link information to this letter.

"Debate: Report on anti-Semitism seeks only to protect Israel," by Sue Ferguson, Mary-Jo Nadeau, Eric Shragge, Abby Lippman, Gary Kinsman and Reuben Roth, The National Post, July 21, 2011

In case you do not read the National Post. Faculty for Palestine — a network of 450 faculty members from Canadian universities and colleges - has published an opinion piece on the Canadian Parliamentary Coalition to Combat Anti-Semitism (CPCCA) Report and the "new anti-Semitism." The National Post, as you well know, is one of the most right wing and pro-Israel news papers in Canada. Here is the link.

<http://fullcomment.nationalpost.com/2011/07/21/debate-report-on-anti-semitism-seeks-only-to-protect-israel/>

Here is an excerpt from the article:

This month, a serious attack was made against free speech in Canada. A pseudo-parliamentary committee calling itself the Canadian Parliamentary Coalition to Combat Anti-Semitism (CPCCA) issued a report calling on the federal government to adopt a definition of anti-Semitism that would criminalize criticism of the state of Israel. The report claims to support free speech and open debate around the Israeli/Palestinian conflict, but its recommendations aim to silence

pro-Palestinian voices, especially on campuses. The CPCCA's biased processes and dubious conclusions contradict its own argument for balanced debate, and make a mockery of the notion of disinterested parliamentary inquiry.

Censorship of discussion of the Palestinian issue really is an attempt to control access to information and censorship of information. You can put critical country information about any country in the World including Canada but as soon as you put forward information critical of Israel or supportive of the Palestinians you will be attacked and it becomes a "big issue." Anti-Palestinians individuals then make the positing of info "political" and try to wear the poster down, marginalize them and make a big problem so that the issue becomes "political" and the other members of the list become tried of the argument. However, that is the purpose of the attacks and to confuse and ultimately block the issue from public discussion.

The article by "Freedom to Teach, Freedom of Speech: Israel-Palestine," by Dr. Jason Kunin, The Canadian Charger, November 11, 2009; and "Zionists muzzle debate on Israeli/Palestine" are bang on point. To quote the article "These are attempts to muzzle debate on the Israeli/Palestinian issue across Canada," said York University's Professor Ilan Kapoor in an interview with The Canadian Charger, "When criticism of Israel or pro-Palestinian positions are portrayed as antisemitic it sets a dangerous precedent. It shuts down debate, which is the bedrock of a university. If a university is about anything, it's about developing critical thinking."

Zionists are aware that studies have shown the more people know about the Israel/Palestine dispute the more they sympathize with the Palestinians. Most individuals in Canada have limited knowledge of the facts and only have a image or impression of the issue that tends to favour the Israelis. The fact that much of the information that makes up the "image" is false is something that favours the perception of the Israeli side of the equation. I suppose a factor is any information that threatens the "image" that many of Israel's supports have of Israel and Zionism have makes them defensive and even angry, hence the almost hysterical response.

They do not want to debate the issue as they know they cannot answer the argument e.g. the fact that 93% of Israel's land is reserved exclusively for Jews and that the Law of Return is discriminatory against Palestinians and other

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non-Jews. If Canada had laws and land holding policies that exclusively favoured Anglo-Saxon Protestants and discriminated against all other social groups the discriminatory nature of the policies is very clear.

This issue is about access to information and the right to have access to information that is critical of the practices of all states. Israel and no other state should be given a special exception that its policies and practices cannot be scrutinized and even criticized.

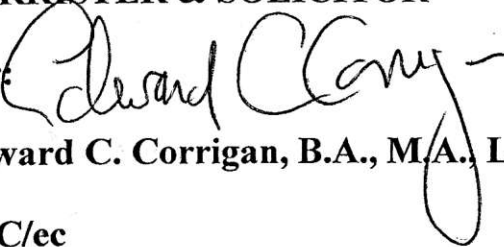
It is also about free speech and democracy and the right to express critical opinions. These are the hallmarks of a democratic society. The supporters of Israel are going to try to shut down all discussion of this issue. These issues could set an unfortunate and even dangerous precedent. I know that I do not like being told what to do and frequently will do the opposite when I am told I cannot do something. There is no valid legal reason to bar discussion of the human rights of the Palestinians, Jews in the Soviet Union or any other group on the CBA, RLA and Law Union lists which discuss refugee issues.

This is an important issue that needs supporters of free speech and even democracy to speak up and to take a strong stand against censorship.

Yours truly,

EDWARD C. CORRIGAN
BARRISTER & SOLICITOR

Per:



Edward C. Corrigan, B.A., M.A., LL.B.

ECC/ec

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cc. Canadian Arab Federation and Palestine House.

LINKS TO ARTICLES

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Alternate link for article

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http://www.kibush.co.il/show_file.asp?num=35483

This article was submitted to The Canadian Parliamentary Coalition to Combat Antisemitism and will appear in a forthcoming issue of Outlook magazine published by the Canadian Jewish Outlook Society. It also has been published in The Canadian Charger, Media Monitors Network, The Dominion (Canada) and a number of other ezines.

A revised version is being published as a chapter of a book to be published by The Canadian Charger responding to The Canadian Parliamentary Coalition to Combat Antisemitism.

Rabble also published an excerpt titled, "Suppressing dissent on campus?," by Edward C. Corrigan
Rabble.ca, September 1, 2009. Here is the link to the short article.

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Subject: "A Book Review: "No Debate: The Israel lobby and free speech at Canadian universities (2011) by Jon Thompson" " by Dr. Jason Kunin. The Canadian Charger. Jan. 29, 2012

From: Ismail Zayid <izayid@eastlink.ca>

Date: 1/31/2012 8:19 AM

To: Ismail Zayid <izayid@eastlink.ca>

<http://www.thecanadiancharger.com/page.php?id=5&a=1182>

January 29, 2012

A Book Review: "No Debate: The Israel lobby and free speech at Canadian universities (2011) by Jon Thompson"

Dr. Jason Kunin

More by this author...

Academic conferences don't usually muster public attention, but in 2009 the organizers of the blandly titled Israel/Palestine: Mapping Models of Statehood and Paths to Peace found themselves at the center of a media shit storm fuelled by the hysterical rhetoric of pro-Israel community groups and their supporters in the media.

This reaction culminated in an unprecedented move by Conservative Minister of State Gary Goodyear to threaten the funding of Social Sciences and Humanities Research Council (SSHRC) – an arms-length agency created by an act of parliament – if it did not commit itself to a review of the funding it had already awarded by an independent peer-review process.

The conference, which took place June 22-24, 2009, was sponsored by York University, Queen's University, and SSHRC, and was held at York's Glendon College. A range of international speakers and experts on the Israel-Palestine conflict, including many visiting scholars from Israel, took part.

The aim of the conference, as stated in the SSHRC application and reaffirmed continually by the organizing committee, was "to juxtapose the two model for resolving the Israeli/Palestine conflict in a rigorous and thoughtful manner... The conference will open avenues to explore whether the a two-state solution or a single constitutional democracy in Israel/Palestine is the most promising path to future peace and security in the region."

At the heart of the Mapping Models controversy was the conference's conferring of academic legitimacy to the examination of "one-state" solutions to the Israel-Palestine conflict. Though one-state models were championed by a minority of early Zionists, including the philosopher Martin Buber and Hebrew University founder Judah Magnes, today any proposition that does not affirm a commitment to a "Jewish state" is considered dangerously radical and, in some

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Canadian Jewish Organizations Charged With Stifling Campus Debate

By John Dirlik

A lecture by dissident Jewish scholar Norman Finkelstein at Queen's University in Kingston, Ontario has sparked a storm of protest and provoked an unsuccessful attempt to rescind the constitution of the group that sponsored the event.

Jewish students charged that the newly formed International Concern for the Middle East Club (ICME) was guilty of misrepresentation because it described itself as non-partisan, although its activities and choice of speakers showed it as clearly pro-Palestinian. "Our concern was that the club was masquerading as an organization that represented a variety of viewpoints," said Warren Bass from Hillel, who insisted that the issue at stake was false advertising and not freedom of expression. "No one is trying to prevent any student group from putting forth a Palestinian perspective, but their constitution should reflect their bias," said Bass. He argued that even the name of the club was misleading, since "international" should by definition also include Israel's position.

This argument was rejected by the legal advisor to ICME. Ed Corrigan said it is not unusual that groups with general-sounding names have particular political positions, and gave as an example the "notoriously pro-Israel" organization in Toronto called Canadian Professors for Peace in the Middle East. "Hillel has never sponsored an event that was pro-Palestinian," added Corrigan.

"This is an absurd demand and they would fail miserably if they applied that same standard to themselves."

Corrigan said that the attempt to rescind ICME's constitution by Hillel students was made in consultation with large organizations like B'nai B'rith and the Canadian Jewish Congress, "suggesting there is a national campaign to stifle debate on the Middle East on Canadian campuses."

An Offer to Debate

Abdelmounam Sherik, chairperson of ICME, said the Jewish Law Student Society (JLSS) at Queen's University was offered the opportunity to provide a speaker representing an Israeli viewpoint more than three months before the proposed lecture. According to Sherik, the JLSS first accepted the invitation after placing a number of conditions "but then backed down when they found out they would have to debate Finkelstein."

Michael Springer of the JLSS did not deny that his group was invited to provide a speaker for the debate, but said they learned of Finkelstein's participation only four days before the event. He argued that, given the "hostile atmosphere" created by ICME, such a debate would only have the effect of "pitting one side against the other." Springer insisted that his group was more interested in a dialogue "which allows for meaningful discussion and understanding

towards peace."

Norman Finkelstein said he was not surprised by the reluctance of the JLSS to debate him, and in fact "sympathized with its dilemma." In his characteristically outspoken style, the professor from Brooklyn College said the Jewish group "knows only too well the Israeli case is indefensible. Thus the discretion JLSS chose to exercise may not have been the better part of valor, but it surely was the better part of wisdom."

The controversy at Queen's University continued when Jewish students professed indignation at what they called an anti-Semitic statement Finkelstein made during the question period that followed his lecture. Reacting to a student in the audience who repeatedly challenged the integrity of ICME, Finkelstein had told her to stop behaving "like a Gestapo agent." The remark was also denounced as anti-Semitic by the university's Racism and Ethnic Discrimination Committee.

Finkelstein, however, defended his comment as an appropriate response to "verbal thuggery." In a letter to the campus newspaper he charged that Israel's apologists "have never cared one whit about anti-Semitism: the one and only concern that animates them is the Holy State. And in defense of the Holy State, they routinely wield the club of anti-Semitism to batter everyone who dares challenge the Party line into silence."

"I can't imagine why Israel's apologists would be offended by a comparison with the Gestapo," wrote Finkelstein. "I would think that, for them, it is like Lee Iacocca being told that Chrysler is using Toyota tactics."

John Dirlik, a free-lance writer from Montreal, Quebec, writes on Canadian and Middle East affairs.

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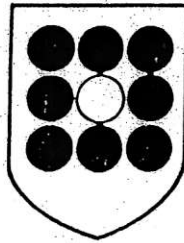
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Thursday, March 1, 1984

Mr. Ed Corrigan,
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NOL 1S0

Dear Sir:

We are enclosing a copy of a brief which our organization recently sent to the University Students' Council at Western. As you will note, it responds to some of the criteria which had formed the basis for denying ratification to your group.

If you would like additional information regarding our position, I would be pleased to provide it.

Sincerely,

Erika Abner
Erika Abner

Research Director

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SUBMISSIONS TO -

University Students' Council
University of Western Ontario

RE -

The Ratification of Campus Groups

FROM -

Canadian Civil Liberties Association
per A. Alan Borovoy
(General Counsel)

Friday, February 24, 1984

The remarks which follow are in response to a request from an organization originally known as Canadians For Peace in the Middle East. This group complained that the University Students' Council denied it ratification as a recognized organization on the University of Western Ontario campus. Upon receiving this complaint, the Canadian Civil Liberties Association made a number of inquiries which included an exchange of letters with Council President Alvin Shidlowsky. As a consequence of these inquiries, we make the ensuing submissions to this Council.

In the opinion of the Canadian Civil Liberties Association, there were certain regrettable improprieties in the way your predecessor Council handled the ratification application of the organization in question. This is not necessarily to disagree with the decision to reject the group's application. Rather, it is to question some of the reasons which were invoked in support of that decision. Since we have been unable to investigate every allegation of fact which has been made in this matter, it has not been possible for us to recommend that the group ultimately receive the ratification it seeks. Suffice it for us to focus on the criteria which should influence such decisions.

During the course of this controversy, some of the group's claims were rejected on the grounds that ratification is a privilege and not a right. While there may be some truth in this, we regard it nevertheless as irrelevant. We believe that a publicly endowed body like a university students' council has a duty, moral at least, to play fair in dealing with its constituents. While such a council must have a right to withhold ratification, it must not make such decisions on an arbitrary or discriminatory basis.

One of the recurring themes throughout this controversy focussed on the allegedly pro Palestinian orientation of the group in question. Note, for example, the following extract from the U.S.C. minutes of its December 8, 1982 meeting.

"Initially CPME had specified that in order to be a member of the club...a student had to endorse the beliefs in the club's constitution. Nick (Davies) read excerpts from the club's current constitution...in order to substantiate his assertion that the club is very 'pro Palestinian'".

In a memorandum dated November 26, 1982, legal commissioner Nick Davies charged that "the stated purpose of this club has been transformed from a club to promote forums for debate of the Middle East crisis to a club to promote a specific solution for the Middle East crisis". And he also pointed out that "membership is predicated upon the prospective member accepting this political solution". Clubs Commissioner Dean Stone was quoted in the December 10, 1982 edition of the Gazette.

"How an organization can pretend to be a forum when it refuses to hear both sides of an issue, is beyond me."

Council member Gerald Culliton was quoted in the London Free Press as saying, "We are not associating our name with a group with a pro Palestinian viewpoint". And Janet Belch, former U.S.C. President was cited in the December 16, 1982 Western News as follows:

"Ms Belch said the Canadians For Peace in the Middle East group was denied ratification because its name did not accurately reflect the views of its members."

The same theme was repeated in a Gazette editorial.

"....Ed Corrigan's group has an admitted bias toward the issue. No matter what the bias - pro Arab or pro Israeli, the results are the same. By precluding other viewpoints in their 'intellectual discussion', they've completely negated the possibility of merging minds. Our opposition to this new club rests on these grounds."

One of the underlying premises of these various quotes is that there is something impugnable about the pro Palestinian orientation of the group in question. The Canadian Civil Liberties Association is unable to appreciate the relevance, for ratification purposes, of the group's pro Palestinian orientation. Intellectual, social, and political pluralism represents the very life blood of a university. Indeed, at the University of Western Ontario itself, there are all kinds of political and religious organizations which enjoy the ratification which was denied to the group in question. Christians on Campus, for example, is an organization which exists, inter alia, "to share the gospel of Jesus Christ" and "to encourage fellowship among all the Christian students on campus". The Newman Catholic Community has been established, in part, "to be the Catholic presence on campus". There are also student political clubs - Conservative, Liberal, and

New Democratic. If ratified clubs can pursue activities on the basis of philosophies which are pro Christian, pro Catholic, pro Conservative, pro Liberal, or pro New Democratic, why should there be a problem for a club which is pro Palestinian?

There was some suggestion that it may be improper for such a group to restrict its membership to those who believe in its pro Palestinian philosophy. It's hard to imagine why such a restriction should be objectionable. If everybody could join every organization, pluralism would simply not be possible. Indeed, membership restrictions on the basis of organizational philosophy could be a necessary protection for minority group organizations. How, for example, could a socialist club operate on a campus which had a conservative majority if the conservatives were permitted, en masse, to join the socialist club and thereby transform it? A Jewish organization could be similarly imperilled on a campus that had a Christian majority.

There was a further suggestion in the above quotes that somehow the group was committing an act of deception. Its name conveyed the idea that the group would provide a neutral forum for exploring diverse paths to a Middle East solution. But, in fact, it was said to be essentially a front for a pro Palestinian solution. In the real world, however, many proponents of a point of view try to package it in the most saleable fashion possible. Numbers of groups with competing ideologies have tried, for example, to appropriate the word "peace" for themselves. Who can adequately monitor how well a group fulfills the promise of such names? It has been argued, for example, that the Liberal Party is really very conservative and that the Progresssive Conservative Party is not really progressive. The argument has also been made that there is nothing "new" about the New Democratic Party; it is really the old CCF in a new package. Would it occur to anyone to withhold the ratification of those clubs on the grounds that they have chosen deceptive names? (We do not refer, of course, to the conflict over names between this group and Canadian Professors for Peace in the Middle East. This issue did not appear to have influenced the USC decision.)

Not only through the name it chose but also through the representations of its leaders and the very terms of its constitution, the group was alleged to be perpetrating the

deception that it aimed to provide a neutral forum for exploring ways to resolve the Middle East conflict. At the same time, however, it was noted that the group's constitution also called for the establishment of an independent Palestinian state and the effective recognition of the PLO. Since the constitution and representatives of the group were quite open about their pro Palestinian viewpoint, there is no question about any deliberate deception. But, as some members of the USC argued, the group might nevertheless be vulnerable to the allegation that it was pursuing incompatible objectives. It could not possibly be neutral and pro Palestinian.

In the opinion of the Canadian Civil Liberties Association, even this argument should not suffice to deny ratification. There are many organizations in the world which claim to be seeking a Middle East peace within a certain established framework. Some say, for example, that they wish to explore various approaches to peace on the basis of the Camp David accords. Others say their examination will be based upon just and secure borders for the State of Israel. For such groups, a proposal to rescind Camp David or dissolve the State of Israel would be beyond the pale. By the same token, a proposal that there not be a Palestinian state or that the PLO not be recognized would be beyond the pale for the group in question. In short, why would it be impermissible for such organizations to be flexible about some issues and rigid about others? Such groups might arguably be accused of intellectual inconsistency or even political bankruptcy. But these are reasons for students to criticize such groups or refuse to join them. They are not adequate reasons for a council to deny ratification.

The minutes of the ratification meeting also contain an allegation of anti-Semitism. Unfortunately, however, the document discloses no details of this allegation. In any event, there appears to be no suggestion that the alleged anti-Semitism reached the level of illegality. Moreover, there is no indication as to how any such conduct of any individuals could be attributed to the entire group. On the basis of what was reported in the minutes, therefore, this allegation could not provide an acceptable basis for the denial of the recognition which the group sought.

In the October 8, 1982 issue of the Gazette, Alvin Shidlowsky was quoted as follows: "If this group were to start to form an opinion, then by endorsing it, the USC takes that point of view as well". This simply could not be a valid characterization of the relationship between a student council and a recognized club. Would anyone suggest, for example, that the opposition of the New Democratic Party to cruise missile testing thereby implicates the University Student Council in that policy? Since the Liberal Club is also recognized, to what extent might its possible support of cruise missile testing be simultaneously imputed to the USC? The same issue of the Gazette quotes Mr. Shidlowsky as saying "I don't think the way to peace is trying to isolate one part of the issue, or to spark more controversy". Mr. Shidlowsky, of course, is entitled both to have and to express such a point of view on the merits of the Middle East conflict. But such views cannot justify a refusal to ratify a club which may have an opposing point of view. It is not the function of the student council to evaluate in this way the ideologies or political opinions of groups which seek ratification. That decision is for the individual students to make at the point of deciding which, if any, groups they will join.

The record also contains many references to the personal behaviour of one of the group's leading figures. The Canadian Civil Liberties Association is in no position to assess the validity of such allegations. We submit, however, that, in the main, they are irrelevant to the matter at issue. In general, personally offensive behaviour on the part of a group's spokesman is no basis to deny the group itself the ratification it seeks. One of the possible exceptions to this, of course, is the case where the impugned conduct of an individual may be relevant to the reliability of the group to fulfill whatever responsibilities it necessarily assumes upon ratification. In this regard, we note the allegations which have been made that one of the group's leaders somehow abused the USC's accounting privileges. While such an allegation could be a relevant factor for ratification purposes, it should have to pass a test of independent scrutiny. The heated nature of the controversy which has already raged over this matter deprives the key participants of the requisite appearance of objectivity. The same considerations apply to some of the other allegations concerning breaches of USC rules. In any event,

however, the impugning of one leader might well not suffice to impugn the entire group. If other people were available whose behaviour were not at issue, there might still be an obligation to ratify the club itself.

The Canadian Civil Liberties Association does not often become involved in campus issues. Our involvement in this one could hardly be attributed to the significance of the benefits which might flow from ratification. Rather, our concern is addressed entirely to the issue of student attitudes. Campus life has often provided leadership to the community at large. If heresy and dissent do not find a hospitable climate at the university, they may well be undermined elsewhere. The viability of our democracy requires the keenest respect for diversity and difference. Thus, we address this Council, not to bicker over the technicalities of ratification, but to raise issues bearing on the very status of democratic dissent.

We should also advise this Council that, in no sense, is the Canadian Civil Liberties Association acting as counsel or advocate for the group in question. As an organization, we are in no way identified with this group's principles, policies, or practices. Our leadership and membership include a wide range of political beliefs and opinions. What unites us on occasions such as this is a commitment to foster fair ground rules for the existence of democratic dissent.

It remains to request that the University Students' Council adopt as an operating guideline the principle that, by themselves, political ideology, membership restrictions based on that ideology, and/or personally offensive behaviour will not operate so as to render any group or club ineligible for ratification.

NATIONAL EDITION

The Globe and Mail

CANADA'S NATIONAL NEWSPAPER

WEDNESDAY, APRIL 4, 1984

Student group fights denial

By RUDY PLATIEL

A student group at the University of Western Ontario says it was refused status as a university club because of pro-Palestinian views and is continuing to keep the issue alive because it involves freedom of speech.

Stewart Shackleton, a law student at the university in London, Ont., said in a telephone interview that when the group — at that time calling itself the Canadians for Peace in the Middle East — was refused status in December, 1982, it was the first time any group had been refused by the University Student Council.

Mr. Shackleton said he was not a member at the time.

Complaints about the refusal were lodged with the Ontario Human Rights Commission and the Canadian Civil Liberties Association.

Mr. Shackleton said that two months ago a report from the Canadian Civil Liberties Association criticized the handling of the application by the 70-member council.

That report by Alan Borovoy, general counsel of the association, has still not been carried by the university's student newspaper six weeks after its arrival on campus, Mr. Shackleton said.

The report sent to the student council says "there were certain regrettable improprieties in the way your predecessor council handled the ratification application."

The report said the association found "one of the recurring themes throughout this controversy focused on the allegedly pro-Palestinian orientation of the group."

It went on to say that "one of the underlying premises" of statements made by council members and subsequently in letters to the student newspaper "is that there is something impugnable about a pro-Palestinian orientation."

The report said the association was unable to appreciate why the group's orientation should be a factor in ratification.

Craig Smith, president of the student council, says that although he was not at the meeting in which the group was refused status, the council does not discriminate on the basis of views but considers whether the club lives up to standards of conduct.

A letter sent by a former president of the council to the Ontario Human Rights Commission said that the group was not refused "because of political affiliation and ethnicity but rather due to

their abuse of this organization . . . mainly in the way of harranguing members of the university executive," and other abuses that the letter said indicated the group was not deserving of club status.

But Mr. Shackleton charged that those reasons were now being offered as a pretext for the refusal. He said those reasons were never given at the time of the refusal or subsequently when he approached council members to find out why the group was being refused.

Mr. Shackleton said the issue revolves around the actions of a former member in signing for a room and using the name of another group, which he was subsequently found to be entitled to use.

Mr. Shackleton said that the group has had to change its name several times after lawsuits were launched by persons who said the names infringed on names of their organizations.

Michael Carroll, professor of sociology at the university, said: "If you look at the letters and editorials in the Gazette (a student newspaper) at the time, I don't think there is any question but that the group's pro-Palestinian stand was a major issue" at the time of the refusal.

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WEDNESDAY, APRIL 18, 1984

Sheltered students

At the risk of plunging the students of the University of Western Ontario into yet another emotion-laden trauma, it must be said that the efforts of the student council to shelter them from the upsetting effects of campus controversy are appalling.

In effect, the council confers or withholds the right to free expression of opinion within its domain. It denies or grants status as a university club to applicant groups as it sees fit. The latest reject being a group that supports the Palestinian position in world affairs. Its agents patrol the campus, tearing down posters that do not bear the official stamp of council approval.

There are two aspects of the situation that invite the tearing of hair and the gnashing of teeth. One is the easy assumption of dictatorial power — doubtless in the name of order, though they harbor strange fears of controversy and of "traumatic and emotional" issues on campus — by young people who were presumably raised to respect democratic principles.

At least as disturbing as the actions themselves is the student frame of mind that gives

rise to them. While it is unnecessary to burn the university to the ground to make a point about the cruise missile, any campus worthy of the name ought to seethe with dissent, controversy and unconventional ideas that disturb the community around it. (The current idea of the UWO being one of the few exceptions.)

The point has not been lost on faculty members. Law professor Robert Martin regards the treatment of the pro-Palestinian group as indicating a "systematic refusal to permit debate" on an important issue "simply because it is controversial and may upset some people... That is appalling. What is a university doing when the students are saying we must not discuss certain issues because they are controversial."

Alan Borovoy, of the Canadian Civil Liberties Association, has similar misgivings. "If heresy and dissent do not find a hospitable climate at the university, they may well be undermined elsewhere," he said. "The viability of our democracy requires the keenest respect for diversity and difference."

Would the student body care to take it from there?

The London Free Press

WEDNESDAY

Wednesday, April 11, 1984
Newstand price 30¢
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Student council 'improprieties' rapped

By Peter Gelgen-Miller
of The Free Press

The student council at the University of Western Ontario committed "regrettable improprieties" when it rejected a campus group's application for club status in 1982, the Canadian Civil Liberties Association has declared.

In a six-page report on the controversy, the association questions many of the reasons offered by student council members for rejecting the application by a group called Canadians for Peace in the Middle East for official recognition as a Western club.

The club has since changed its name to Canadians for Peace Now and still doesn't have official recognition. It has been active in bringing speakers to campus and sponsoring activities that focus on problems in the Middle East.

The civil liberties report was released in February but came to light on campus only after Canadians for Peace Now took a full-page advertisement in the Western News, an official university publication, to make its contents public. The ad was supported by Canadians for Peace Now, the London Palestinian Association, the UWO Arab Club, the Arab Society of London and Western Left.

Stewart Shackleton, president of Canadians for Peace Now, said Tuesday his group hasn't any immediate plans to press for action on the report because students are busy getting ready for exams. But he said the group may join with several other clubs next year to seek changes in the

UWO student council's policy on campus clubs.

Canadians for Peace Now also has written to the Ontario human rights commission about the controversy. A commission official said Tuesday an investigator is sifting through the facts.

The investigator will write a report that will help the commission determine whether the case falls under the Ontario Human Rights Code, said the official. Only then will the commission know if it can act on the case. The investigator's report is expected by the end of the month.

Western president George Connell said he does not plan to intervene. "It really is the student council's concern. It is their responsibility to determine what clubs they recognize."

Craig Smith, incoming student council president, said Canadians for Peace Now has not approached council since its application was rejected.

"Until they come back to council, I don't know what action we can take. Obviously they have a beef with us, but they haven't given us any direction on what they want us to do."

In the report, the association said it does not necessarily disagree with the council's decision to reject the application. But it questions the reasons offered by council members for the rejection.

The association urges the student council to adopt fair guidelines for recognizing campus organizations.

Alan Borovoy, the association's general counsel, said from Toronto that his organization hasn't the authority to

force the student council to change its policies.

"We asked that the student council put it on their agenda, consider our proposals and get back to us. But we haven't heard what has happened at all."

One of the issues raised was whether Canadians for Peace in the Middle East was pro-Palestinian. Student council members at the time said the group could not provide a forum on Middle East problems because it refused to hear both sides.

But the association said it can't understand why the group should be denied ratification because of its "pro-Palestinian orientation. Intellectual, social and political diversity represent the very lifeblood of a university."

The association argued that many other campus political and religious groups have been recognized as campus organizations. "If ratified clubs can pursue activities on the basis of philosophies which are pro-Christian, pro-Catholic, pro-Conservative, pro-Liberal or pro-New Democratic, why should there be a problem for a club which is pro-Palestinian?"

At least one council member also took the position that by accepting the group, the council would be sharing its points of view, said the association. But it said this is not the way the relationship between a student council and a recognized campus club works.

"Would anyone suggest, for example, that opposition of the New Democratic Party to cruise missile testing thereby implicates the university student council in that policy?"

TUESDAY, APRIL 17, 1984

Reaction in college to pro-Arab group called worrisome

By RUDY PLATIEL

A University of Western Ontario law professor says reaction to a pro-Palestinian student group seems to reflect a worrisome trend at Canadian universities to avoid controversial issues in the one setting where debate and inquiry should be taking place.

Professor Robert Martin, who teaches constitutional law, says the pro-Palestinian group's case seems to point out "a systematic refusal to permit debate" on an important world issue "simply because it is controversial and may upset some people."

His concern is also reflected in a report by the Canadian Civil Liberties Association, which examined the treatment of the group by the university student council.

The student group, which after several name changes now calls itself Canadians for Peace Now, was refused status as a university club by the student council in December, 1982.

The group appealed to both the Ontario Human Rights Commission and the Canadian Civil Liberties Association and has kept the issue alive by issuing leaflets and writing letters to the student newspaper condemning its treatment.

In February of this year, Alan Borovoy of the civil liberties association issued a six-page report that criticizes the student council's handling of the issue, saying that statements by council members suggest it was the group's pro-Palestinian stand that led council members to reject the application.

In his report, Mr. Borovoy says that the association was not acting as an advocate for the group or endorsing its principles but, rather, "our concern is addressed entirely to the issue of student attitudes."

He says that campus life often has provided leadership to the community at large and his report is not an attempt to "bicker over the technicalities of ratification" but to deal with the issue of democratic dissent.

"If heresy and dissent do not find a hospitable climate at the university, they may well be undermined elsewhere. The viability of our democracy requires the keenest respect for diversity and difference," he says in his report.

That view is shared by Prof. Martin, who said in an interview that he was concerned by statements that the group shouldn't be granted club status because it was taking a controversial position and bringing "traumatic and emotional" issues on campus.

"That's appalling. What is a university doing when the students are saying we must not discuss certain issues because they are controversial?" Prof. Martin said.

He said that, since then, the student council has instituted a program called "poster pollution" in which posters or literature to be placed on public notice boards around the university must be stamped and approved by the council, which has not announced any criteria for approval.

He said that the notice boards are checked and any posters that do not have a stamp are torn down.

"That is the most classic, basic, pure form of censorship imaginable. Again, that attitude and practice seems to me to be fundamentally contradictory of what a university is supposed to be," Mr. Martin said.

Stewart Shackleton, a law student who now heads the pro-Palestinian club, said there also seemed to be a deliberate attempt by the student newspaper, the Gazette, to ignore the civil liberties report. He said the paper was following the line of the student council, which controls it.

The report was issued in February, but the Gazette published a story five weeks later, after a story in The Globe and Mail and a day after the group published an advertisement about the report in the university administration's publication, The Western News, which also did not carry any news report.

Editors at the Gazette denied Mr. Shackleton's suggestion that there was a deliberate attempt to suppress the story.

"I can understand how he got that impression, but it's not the case," Ken Maver, managing editor of the Gazette, said in an interview. "But I agree we should have come out with the story."

Justin Smallbridge, editor of the Gazette, said a reporter had been assigned to write a story two weeks earlier but was unable to do so and the story had to be reassigned.

Mr. Smallbridge, who said the paper makes its own editorial decisions even though it receives money from the student council, accused the group of being dishonest in its original approach to the council because it suggested it wasn't biased toward a pro-Palestinian view.

In his report, Mr. Borovoy rejects bias as a legitimate reason for refusing club status because he says it was not an issue in the acceptance of other groups such as Christian, Liberal or Conservatives clubs on campus.

UWO Palestine body near recognition

By Peter Gelgen-Miller
of The Free Press

A 2½ year battle for official recognition is coming to an end for a UWO student organization called Canadians Concerned for the Middle East.

Within the next few days, the group expects to be granted status as an official campus organization by the University Students' Council. In the meantime, council is issuing a statement of "sincere regret" to the Palestinian communities at Western and in London because of the denial of official recognition to the student group in 1982.

The statement of regret is part of an agreement between the students' council and the student organization following mediation by the Ontario Human Rights Commission. The commission entered the case more than a year ago following a complaint from Canadians Concerned for the Middle East and the Palestinian Association of London.

Stewart Shackleton, president of Canadians Concerned for the Middle East, said Monday he is satisfied with the settlement and glad

the long fight for recognition is over.

"We are further satisfied that the students' council has met our request for a clear statement of race relations at the university," he said in a written release. "While we feel that the statement of regret could have been a somewhat stronger disapproval of the actions of the 1982 students' council, we nevertheless accept it as an acknowledgment of the wrong suffered by the London and university Palestinian communities."

Because of the controversy over the denial of official status to Shackleton's group, council has changed its policy for giving official recognition to campus clubs. Both Shackleton and students' council president Craig Smith agreed Monday the new policy should eliminate discrimination against groups in the future.

Previously, the entire students' council was responsible for granting recognition to organizations. Now this task is handled by a special review committee and recognition is virtually automatic as long as an organization's constitution does not violate any laws.

Shackleton said the new policy eliminates the possibility of "political bias" by council members.

In its statement, which is to be published this week in The Free Press and the UWO student newspaper, council said it "does not engage in any form of discrimination prohibited by the laws of Ontario and Canada."

The issue blew up in December, 1982, when council changed its policy on recognizing campus organizations. Under the new, tougher policy, Shackleton's group was denied recognition when it came before the council on Dec. 8, 1982.

Council members expressed concern over the group's "pro-Palestinian viewpoint."

THE GLOBE AND MAIL, TUESDAY, FEBRUARY 5, 1985

UWO council 'regrets' rebuff

The students' council at the University of Western Ontario is to publish "an expression of regret" today for its refusal to grant university-club status two years ago to a pro-Palestinian group on campus, the Canadians for Peace Now.

The council's refusal in a noisy December, 1982, meeting marked the first time a group on campus had been refused club status.

The group charged at the time that the action was discriminatory, noting that its pro-Palestinian stand was criticized by council members and that it was accused of bringing "traumatic and emotional" issues on the campus.

The council's action also brought a reaction from the Canadian Civil Liberties Association and Robert Martin, a constitutional law professor at the London, Ont., university.

Both the association and Prof. Martin expressed concern that the council's refusal was based on the group's unpopular views, and they said this was contrary to democratic principles.

The statement of regret and changes in the council's bylaws concerning club status follow a meeting late last year between representatives of the council and the group. The meeting was mediated by an official of the Ontario Human Rights Commission.

American-Arab Affairs

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THE PALESTINIAN QUESTION AT THE UNIVERSITY: THE CASE OF WESTERN ONTARIO

Edward C. Corrigan

Mr. Corrigan is a graduate student at the University of Western Ontario in London, Ont., Canada. He was the founding president of Canadians for Peace in the Middle East (now known as Canadians Concerned for the Middle East) at the University of Western Ontario.

In the wake of Israel's invasion of Lebanon and the Sabra and Shatila massacres, controversies erupted at many North American universities over events in the Middle East. What transpired at one Canadian university provides an interesting case study of the politics often associated with discussing Mideast issues in the West and gives some insights into the attitude many North Americans have toward the Palestinians.¹

On December 9, 1982, the University Students' Council (USC) at the University of Western Ontario (UWO) by a vote of 34-10 refused an application from a student group called Canadians for Peace in the Middle East (CPME) for official club status.² For many, this was the culmination of a campaign to prevent the establishment

of a functioning pro-Palestinian student organization at the university, but for a small group of students it marked the beginning of a long campaign to reverse a decision that they viewed as an act of discrimination and an infringement on basic freedoms.³

From October 1982 through March 1985 a full-scale political war raged at the University of Western Ontario in the pages of the campus press and among those in the student government and the administration, and in fact well beyond. Local press clippings dealing with this issue number in the hundreds, and eventually the dispute received national attention. During this time substantial personnel changes occurred in the various student organizations, but there was also a fairly large degree of continuity with respect to all participating groups.

¹The author would like to thank members of Canadians Concerned for the Middle East, The Palestine-Israel Committee, the UWO Arab Students Association and the London Ontario Canadian Arab Society who reviewed this paper and made many valuable suggestions. The author, however, bears full responsibility for the views expressed and for any errors.

²"CPME Loses Ratification Bid," *Gazette* (UWO), Dec. 10, 1982.

³The club's constitution would have to be described as fairly moderate. It explicitly recognized "all states in the Middle East" and called for the establishment of an independent state for the Palestinians. It recognized the representative of the Palestinians "as accepted by the General Assembly of the United Nations." It also "condemned all forms of racism, including anti-Semitism and apartheid."

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westernnews

Vol. 23 No. 18

The University of Western Ontario N6A 5B8

May 14, 1987

Arab representatives meet with President

Representatives from the Canadian Arab Federation met recently with University President George Pedersen to discuss concerns about attitudes toward the Arab community on campus.

Jamal Kafieh, President of the Canadian Arab Federation, and Hanni Fadel, a member of the London Arab community, discussed some of their concerns as a result of a recent controversy over a poster advertising a Palestine Liberation Organization speaker.

Kafieh told *Western News* that the Federation was "extremely concerned about what we believe is a strong anti-Arab bias on campus" and a "double standard" used in applying policies toward one ethnic group over another.

He said the situation is not unique to Western and is prevalent on other campuses, but "it is particularly bad at Western."

Kafieh said that several proposals were made to the President for improving the situation.

"We appreciated his candor and found him to be very sensitive and caring about our concerns," the CAF President said.

Kafieh said the Federation was prepared to give the UWO President time to "redress this problem" and would be monitoring future developments.

When contacted by *Western News*, Pedersen confirmed that he had met with the Arab group to discuss their concerns.

The UWO President said that he is interested in looking at any suggestions for improving relations with ethnic groups and defusing some of the emotionalism which often accompanies debates on sensitive topics such as the Middle East. However, the President noted that such political debate is "entirely appropriate" for a university community as long as it is done in a context which does not promote racism.

Western accused of rights violations

by GEMMA ZECCHINI

Formal human rights complaints have been filed with the Ontario Human Rights Commission against Western by members of a pro-Arab student group on campus.

Stewart Shackleton, former president of the Canadians Concerned for the Middle East, met with officials of the commission on Monday to present the club's charges against university President George Pedersen and Wesley Rayner, dean of law.

The CCME presented the commission with a chronology of grievances dating back to 1975. This marks the second time in four years the club has appealed to OHRC to settle campus disputes on its behalf.

In 1985 OHRC upheld a CCME claim against the University Students' Council which had refused to ratify the club because of its "extremist pro-Arab positions."

The most recent complaint stems from a September incident when reservations personnel at the university tried to stop a Canadian Arab Western student from holding a press conference on campus.

Nadia Shousher told reservations officer Ken Mathers she was going to brief the media on her recent trip to Israel and Jordan, but said she was told to go elsewhere because the 'university does not want to get involved in Middle East issues and we don't want any riots on campus.'

"They didn't want me to have a press conference. They didn't want me to talk about what I saw in Israel," Shousher said. "They were afraid that my experiences would be associated with the views of the UWO adminis-

Shousher said after Mathers checked with his superiors, he told her she could have the press conference but was told to 'keep it down,' and he asked to attend.

Shousher decided to take her complaint to the OHRC because Pedersen had not responded to a letter she wrote seven weeks ago describing the episode.

Shackleton said he is not surprised the university has failed to address Shousher's complaint.

"It's not the first time the UWO has attempted to deny pro-Arab or pro-Palestinian students a forum to express their views."

In March the CCME came under attack because of a poster they displayed on campus bulletin boards advertising an upcoming speech by Palestinian Liberation Organization representative Abdul Abdullah. The poster showed Israeli guards dressed up like Nazis herding Palestinians at gun point.

When a group of Jewish students at the law school complained to Rayner and Pedersen the poster was ordered removed. Pedersen issued a stern rebuke to the CCME and called the poster "obscene."

However, when a group of students broke up Abdullah's speech in March by shouting obscenities in the audience, the university administration refused to publicly condemn the incident after CCME had asked Pedersen to do so.

The group accused the university of interfering with their freedom of expression and of discrimination.

Meanwhile, Pedersen is setting up a 16 member task force to investigate race relations at Western. He hopes CCME will use the task force as a forum to voice their grievances, but club members say they are not optimistic considering the adminis-

Human Rights Commission Charges University with Anti-Arab Bias

By John Dirlik

In what has been hailed as an important precedent, Arab students at the University of Western Ontario (UWO) recently celebrated a victory for freedom to debate Middle East issues. Their lengthy battle against university intimidation and coercive tactics began in 1987 when they filed complaints against UWO with the province's Human Rights Commission. Last month, the university finally agreed to apologize publicly for its "differential treatment" of Arab students, and to pay \$2,000 as compensation to each of the four complainants.

Conceding that UWO had not lived up to the "ideals associated with freedom of speech," university President George Pedersen apologized for "any hurt caused to the students and other members of the Arab/Palestinian community." In a letter the school published in the *London Free Press* and in the two campus newspapers, Pedersen also promised that a comprehensive race relations policy would be implemented to ensure a "quicker identification and resolution of racial conflicts."

The dispute began in the spring of 1987, when Jewish groups complained that a poster advertising a lecture by a PLO representative was "provocative, misleading and offensive." The poster included a prize-winning drawing of Palestinian children being rounded up by Israeli soldiers dressed as Nazis, and was inspired by the famous photograph of a young Jewish boy surrounded by German soldiers in the Warsaw Ghetto.

The dean of the UWO law faculty ordered the poster removed. University President George Pedersen also reprimanded the sponsoring group, charging the cartoon "satirized" the Holocaust, and that the text accompanying it which compared Zionism to apartheid had "no place on any Canadian university campus."

The second incident that provoked a complaint from Arab groups involved the university's reservations office, which hesitated for several days before allowing a Lebanese student to book a room for a public event. Officials first inquired if the student making the reservation was an Arab, and then warned her that the university did not want "any riots on campus."

The third complaint centered on the university's lack of response to a string of blatantly racist cartoons about Arabs in the student newspaper, as well as the university's refusal to denounce publicly groups of Jewish students who were habitually disrupting Arab-sponsored lectures.

One of the Arab complainants, James Kafieh, expressed a degree of satisfaction with the university's belated apology. "It's edifying that institutions, big or small, can be held accountable for their actions," said Kafieh. But he remained cynical about the university's intentions, citing the seven-year span between the initial complaints and the final agreement.

The university "did not act in good faith," Kafieh said. He credited the victory to the tenacity of the students. They had long since graduated, but they persisted in their struggle.

"The initial strategy [of UWO] was to run the students into the ground," he said. "They were trying to use their power as a major institution in the hope that over time the complainants would just disappear."

Despite the absence of goodwill, the UWO decision was welcomed by Edward Corrigan, an attorney who has represented

This controversial drawing won the grand prize at the 1985 International Salon of Cartoons competition.



Arab groups facing similar controversies on other campuses. "It's a very important precedent," said Corrigan. "To the best of my knowledge this is the first time that the Ontario Human Rights Commission has intervened against a major institution for discrimination against Arabs." Corrigan said the decision sends "a clear message that differential treatment of Arabs is contrary to the law."

Not Everyone Pleased

Not everyone, however, was pleased with the settlement. B'nai B'rith of Canada expressed "dismay" that an agreement was reached with Arab students who had "trivialized the memory of the Holocaust" by portraying Israeli soldiers as Nazis. The Coalition of Western Jewish Students also protested and asked if the university was saying that "it's now okay to use that poster."

Responding to those queries, the UWO president defended the decision to apologize, while being careful to avoid igniting another controversy. In an interview with the *Canadian Jewish News*, Pedersen stressed that he still had "strong personal feelings about those posters, but that is not what is at issue here."

Dismissing objections of the Jewish groups to the lecture notice, Kafieh cited ongoing atrocities against Palestinians, such as the recent Hebron massacre. "I would in fact argue that this poster is as appropriate and applicable today as it was then," Kafieh said.

John Dirlik, a free-lance writer from Quebec, writes on Canadian and Middle East affairs.

EXHIBIT "A"



The UNIVERSITY of WESTERN ONTARIO

AN OPEN LETTER TO THE ARAB/PALESTINIAN COMMUNITY OF THE UNIVERSITY OF WESTERN ONTARIO AND THE CITY OF LONDON

Issues of freedom of speech and expression are sensitive and complex, particularly in an University community, where ideals and values amongst its members may be at variance. Nevertheless, the University has a unique and important obligation to uphold the principles of a vigorous and free exchange of views and ideas. A better understanding should emerge from that process, so that we are able to ensure all members of the University community reach their full potential. In addition, the University recognizes its obligation to provide access to services and facilities to all members of the University community, without regard to racial or ethnic considerations.

Unfortunately, there have been situations where there has been differential treatment in the provision of these services and facilities to students of Arab and Palestinian origin and those who associate with them. In these situations, the ideals associated with freedom of speech have also not been achieved. In particular, I note the differential treatment accorded by the University to Arab and Palestinian students with respect to the incidents which occurred in connection with the appearance of a guest speaker sponsored by the Canadians Concerned for the Middle East (CCME) in 1987. On behalf of the University, I offer my personal apology for the treatment of and any hurt caused to the students and other members of the Arab/Palestinian community. I also apologize for the delay in responding to their legitimate concerns.

However, I believe that as a result of all these incidents, The University of Western Ontario has engaged in a process that will produce a quicker identification and resolution of racial incidents. The University has responded to these issues with initiatives such as the development of a Race Relations Policy, the establishment of a full-time Race Relations Officer, whose mandate includes raising the sensitivity and awareness of the entire University community, and the creation of an Advisory Committee on Race Relations. In conjunction with Huron College and the London Arab/Palestinian community, we are engaged in the process of establishing an academic program in Middle Eastern Studies. In my opinion, these initiatives are due to the efforts of many people committed to recognizing the dignity and worth of all members of the world's community -- but,

certainly, a significant and important factor has been the direct efforts and contributions of the Arab/Palestinian community. The University looks forward to strengthening this relationship.

Sincerely yours,

K. George Pedersen
President and Vice-Chancellor

EXHIBIT "B"



The UNIVERSITY of WESTERN ONTARIO

Ms. Maysoun Abusitta
46 Queen Anne Circle
London, Ontario
N6A 4B7

Dear Ms. Abusitta,

I am writing to you in connection with the proposed terms and conditions of settlement submitted by your agent, Mr. Stewart Shackleton, to the Ontario Human Rights Commission, dated May 18, 1992.

The University recognizes its obligation to provide access to services and facilities to all members of the University community without regard to racial and ethnic considerations. Unfortunately, there have been situations where there has been differential treatment in the provision of these services and facilities to students of Arab and Palestinian origin and those who associate with them.

I believe that as a result of all these incidents, our institution has engaged in a process that will produce a quicker identification and resolution of racial incidents. As you know, the University has responded to these issues by such initiatives as the development of a Race Relations Policy, the establishment of a full-time Race Relations Officer, whose mandate includes raising the sensitivity and awareness of the entire University community, and the creation of an Advisory Committee on Race Relations.

I recognize that issues of freedom of speech and expression are sensitive and complex, particularly in an University community, where ideals and values amongst its members may be at variance. Nevertheless, the University has a unique and important obligation to uphold the values of a vigorous and free exchange of views and ideas. Hopefully, from that process will emerge a better understanding amongst all peoples, so that we are able to ensure all members of the University community reach their full potential. With respect to the matters that pertain to this complaint I realize that this ideal was not achieved.

I note with particular regret the differential treatment accorded by the University to Arab and Palestinian students with respect to the incident at the Faculty of Law in 1987 and in statements made specifically to you arising out of that incident. I apologize for such treatment and for the University's delay in responding to your legitimate concerns.

Sincerely yours,

K. George Pedersen
President and Vice-Chancellor

EXHIBIT "C"



The UNIVERSITY of WESTERN ONTARIO

Ms. Nadia Shousher
52 Foxmill Crescent
London, Ontario
N6A 2B4

Dear Ms. Shousher,

I am writing to you in connection with the proposed terms and conditions of settlement submitted by your agent, Mr. Stewart Shackleton, to the Ontario Human Rights Commission, dated May 18, 1992.

The University recognizes its obligation to provide access to services and facilities to all members of the University community without regard to racial and ethnic considerations. Unfortunately, there have been situations where there has been differential treatment in the provision of these services and facilities to students of Arab and Palestinian origin and those who associate with them.

I believe that as a result of all these incidents, our institution has engaged in a process that will produce a quicker identification and resolution of racial incidents. As you know, the University has responded to these issues by such initiatives as the development of a Race Relations Policy, the establishment of a full-time Race Relations Officer, whose mandate includes raising the sensitivity and awareness of the entire University community, and the creation of an Advisory Committee on Race Relations.

I recognize that issues of freedom of speech and expression are sensitive and complex, particularly in an University community, where ideals and values amongst its members may be at variance. Nevertheless, the University has a unique and important obligation to uphold the values of a vigorous and free exchange of views and ideas. Hopefully, from that process will emerge a better understanding amongst all peoples, so that we are able to ensure all members of the University community reach their full potential. With respect to the matters that pertain to this complaint I realize that this ideal was not achieved.

I note with particular regret the differential treatment accorded by the University to you as an Arab/Palestinian student with respect to your attempt to reserve a room through the Reservations Office for a meeting in September, 1987. I apologize for such treatment and for the University's delay in responding to your legitimate concerns.

Sincerely yours,

K. George Pedersen
President and Vice-Chancellor

EXHIBIT "D"



The UNIVERSITY of WESTERN ONTARIO

Rosemary Brown
Chief Commissioner
Ontario Human Rights Commission
400 University Avenue
Toronto, ON M7A 2R9

LETTER OF ASSURANCE TO THE OHRC

Dear Ms. Brown,

I am writing to you in connection with the terms and conditions of settlement submitted to the Ontario Human Rights Commission dated (Complaints #20-801F, 804F, 243F, 684F).

The Corporate Respondent acknowledges there has been differential treatment in the provision of services and facilities to students of Arab/Palestinian origin and those who associate with them. In particular, the Corporate Respondent(s) note differential treatment accorded to Arab/Palestinian students with respect to incidents which occurred in connection with the appearance of a guest speaker sponsored by the Canadians Concerned for the Middle East (CCME) in 1987.

The Corporate Respondent has developed a Race Relations Policy (1990) and has established a full-time Race Relations Officer for the University community (1991). At the same time, the Corporate Respondent acknowledges the importance of continually monitoring the effectiveness of services provided under these initiatives by ensuring that any activities or inquiries from all members of the University community are dealt with in a timely manner.

The Corporate Respondent also acknowledges that the Arab students have alleged that they have not received the equal benefit of UWO policy 1.5.

Page 2

The Corporate Respondent recognizes that it is important that all students at The University of Western Ontario benefit fully and equitably from UWO policies and it undertakes to ensure that such policies including the UWO Race Relations Policy are applied in the future without discrimination on the basis of the race, religion or ethnic origin of the students concerned.

In particular, the Corporate Respondent recognizes that it is important that it not hesitate to respond to complaints from the Arab student community in a timely manner and to express its concern with respect to incidents of publication or broadcast on campus of racist stereotyping directed against Arab/Palestinian students, nor will the University tolerate disruptions in violation of University policy 1.5 which are directed against Arab students' on-campus activities.

Sincerely,

K.G. Pedersen
President & Vice-Chancellor

cc: H. Sahadeo

THIS AGREEMENT ENTERED INTO THIS 20th OF DECEMBER, 1993
BETWEEN:

THE UNIVERSITY OF WESTERN ONTARIO
(Hereinafter referred to as the "Corporate Respondent")

-AND-

DR. K. GEORGE PEDERSEN

-AND-

Mr. WESLEY RAYNER
(Hereinafter referred to as the "Personal Respondents")

-AND-

MS. MAYSOUN ABUSITTA ET AL
(Hereinafter referred to as the "Complainants")

WHEREAS, the Complainants filed complaints with the Ontario Human Rights Commission on December 9, 1987, complaints #20-801F, 804F, 243S, 684F, alleging that they had been dealt with by the Corporate Respondent and the Personal Respondents contrary to the provisions of the Human Rights Code;

THEREFORE, the parties agree to settle this matter as follows:

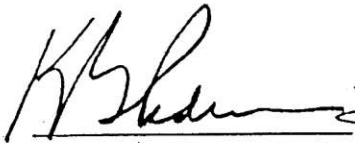

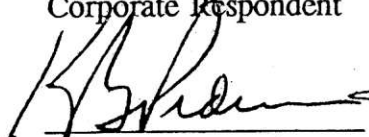

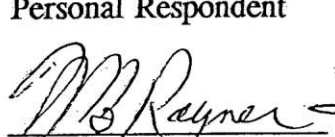
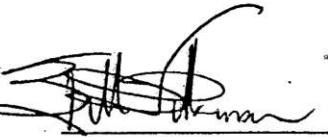
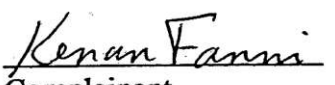


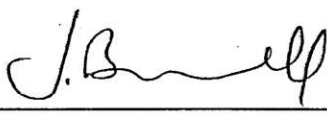

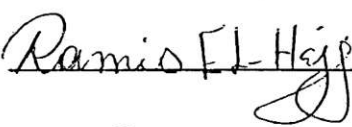
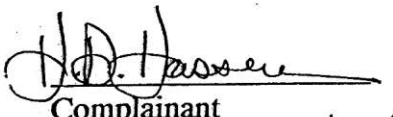

1. The Corporate Respondent has written an open letter to the Arab/Palestinian Community of The University of Western Ontario and the City of London (Exhibit "A") which will be published within 7-10 days of the acceptance of this

Agreement by the Complainant in the Gazette, The Western News and the London Free Press, offering a statement of apology for the treatment and hurt caused to the students and other members of the Arab/Palestinian Community and the lengthy delay in responding to legitimate concerns represented by this complaint.

2. The Corporate Respondent has written individual letters of apology to Ms. Abusitta and Ms. Shousher as well as a letter of assurance to the Ontario Human Rights Commission (Exhibits "B" and "C", "D") affirming the commitment and responsibility of the University to provide access to services and facilities to all members of the University community without regard to racial and ethnic considerations.
3. The Corporate Respondent acknowledges there has been differential treatment in the provision of services and facilities to students of Arab/Palestinian origin and those who associate with them. In particular, the Corporate Respondent(s) note differential treatment accorded to Arab/Palestinian students with respect to incidents which occurred in connection with the appearance of a guest speaker sponsored by the Canadians Concerned for the Middle East (CCME) in 1987.
4. The Corporate Respondent has developed a Race Relations Policy (1990) and has established a full-time Race Relations Officer for the University community (1991). At the same time, the Corporate Respondent acknowledges the importance of continually monitoring the effectiveness of services provided under these initiatives by ensuring that any activities or inquiries from all members of the University community are dealt with in a timely manner.

5. The Corporate Respondent agrees to pay each Complainant the sum of \$2,000 representing payment for mental anguish. A certified cheque will be held in escrow by the Commission and will be given to the Complainants or their representative upon approval of this Agreement and execution of release.
6. The Corporate Respondent has posted on its premises Code cards supplied by the Ontario Human Rights Commission.
7. The Complainants agree that this settlement is in full, final and complete settlement of all claims existing up to the date hereof, arising out of or in any way relating to the matters giving rise to the complaints referred to above against the Respondent(s).

IN WITNESS WHEREOF THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES.

PARTIES	WITNESS	DATE
 Corporate Respondent		<u>20/12/1993</u>
 Personal Respondent		<u>20/12/1993</u>
 Personal Respondent		<u>20/12/1993</u>
 Complainant		<u>11/1/94</u>
 Complainant		<u>24/01/94</u>
 Complainant		<u>14/02/94</u>
 Complainant for Maysoun Abu Sitta		<u>8/02/94</u>



Israeli Zionism is like South African Apartheid for Palestinian Arabs who have been dispossessed of their lands, their homes, their freedoms and their rights to an identity within Palestine. They live subject to arbitrary arrest, routine

administrative detention, torture, collective punishment and unexplained disappearances into the night. Their oppressors have been condemned by the United Nations and by Amnesty International.

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Background of Complaints

The Settlement Agreement relates to the following instances of differential treatment of Arab students at U.W.O.:

I. Maysoun Abusitta and Ken Fanni v Rayner, Pedersen and U.W.O.

1. In March of 1987, a U.W.O. Palestinian solidarity committee on campus, Canadians Concerned for the Middle East (CCME), hosted the PLO representative to Canada, Mr. Abdullah Abdullah, as a guest lecturer at the Faculty of Law. The lecture topic was *"Palestinian Resistance to Israeli Occupation."*
2. A lecture notice announcing the event was posted on university notice boards, which are normally available to student clubs for the purpose of making announcements of student events.
3. Following complaints from some members of the University Jewish community, and suggestions that there could be violence if the lecture notices were not removed, the Dean of the Law Faculty (then Mr. Wesley Rayner), who felt that the lecture notice was *"unnecessarily provocative, misleading and offensive"* decided that parts of the lecture notices should be removed.
4. The U.W.O. President, Dr. George Pedersen, who also received complaints about the lecture notice, took immediate disciplinary action against CCME president, Ms. Maysoun Abusitta, a Canadian student of Palestinian origin. Dr. Pedersen reprimanded Ms. Abusitta in a personal telephone call and in a letter addressed to her in which he claimed that the lecture notice was *"obscene"* and had *"no place on any Canadian university campus and most assuredly not this one."* Dr. Pedersen also demanded in his letter that Ms. Abusitta apologize to the university community for her actions.
5. The Dean of the Law Faculty and the U.W.O. President both took exception to a drawing and caption contained on the lecture notice. The drawing, inspired by the famous photograph of a young Jewish boy surrounded by German soldiers in the Warsaw Ghetto, pictured a Palestinian child surrounded by Israeli soldiers. The U.W.O. President claimed the poster *"satirized"* the Holocaust.
6. The drawing was accompanied by the following caption:

"Israeli Zionism is like South African Apartheid for Palestinian Arabs who have been dispossessed of their lands, their homes, their rights to an identity within Palestine. They live subject to arbitrary detention, torture, collective punishment, and unexplained disappearances into the night. Their oppressors have been condemned by the United Nations and Amnesty International."
7. Dr. Pedersen, in justifying his intervention against the students, described this caption as *"highly inflammatory."*
8. In fact, the poster illustration was an editorial drawing by Portuguese editorial cartoonist, Antonio Antunes Moreira. It had been chosen by five Canadian judges from over 900 entries, representing more than 60 countries, to win the Grand Prize at Montreal's 29th annual Salon of Cartoons in 1985.
9. After correspondence and meetings with both Dr. Pedersen and Dean Rayner failed to produce any satisfactory result, Ms. Abusitta and another executive member of the CCME, Mr. Kenn Fanni, filed complaints before the Ontario Human Rights Commission in January of 1988.

10. In their submissions before the OHRC, the Complainants pointed out that:

- a) Reference to the Holocaust has become a universal anti-war theme found in numerous editorial drawings and art works and that far from "satirizing" the Holocaust, such works reaffirm its significance. No one has ever suggested that the use of such a theme in other contexts, to protest the Vietnam war or the ethnic violence in Bosnia, for example, "satirize" the Holocaust.
- b) Numerous Jewish and Israeli intellectuals including Albert Einstein, Professor Richard Arens, and Yeshaayahu Leibowitz have not hesitated to accuse the Israeli government of Nazi-like behaviour in connection with its treatment of Palestinian populations. The accusation of apartheid in Israel is likewise nothing new or inappropriate, and has been formulated by Desmond Tutu and Israeli professor Uri Davies, for example.
- c) Jewish students at U.W.O. itself have compared Arab states to Nazi Germany in literature distributed on campus. Literature containing graphics, which paired the crescent symbol of Islam with the Nazi swastika, for example, did not result in any sanctions by the university administration.
- d) "Provocative and inflammatory" posters and lecture notices by other student organizations, for example, an anti-apartheid lecture notice or posters protesting a U.W.O. appearance by Henry Kissinger claiming that Kissinger was a war criminal, had been posted on campus the same week as the CCME lecture notice and yet resulted in no interference or comment by the university administration.
- e) The criteria "offensive to the Jewish community" or "offensive to the university community" are, in the absence of any wrongdoing or illegality, insufficient as a basis for administrative action or disciplinary measures against students of Palestinian ethnic origin. The pro-Israel discourse of certain Jewish student activities, posters and lectures hosted by the Jewish student organization JSU-Hillel, has often contained much that is not only offensive to the Arab and Palestinian communities, but in certain instances, involves racist assertion and stereotype directed against Arabs in general and Palestinians in particular.
- f) The decisions by Dean Rayner and Dr. Pedersen are discriminatory because:
 - 1) the students involved were disciplined on grounds and for reasons that apply to no other students at the University of Western Ontario;
 - 2) the disciplinary measures taken by the university administration (the personal verbal reprimand by telephone and public statements to the press) far exceeded standard disciplinary norms even in cases where there is actual misconduct;
 - 3) by denying students access to public notice boards and subjecting them to reprimand and public censure, the university administration implied that Arab and Palestinian students are required to observe limits and standards that are not required of other students.
 - 4) the administration's actions reduced Palestinian and Arab students' enjoyment of the full benefits of a university environment of free inquiry, and denied them the protection that should result from the university's commitment to academic freedom for everyone.

II. Nadia Shousher v U.W.O.

11. In the fall of 1987, the personnel of U.W.O.'s Reservations Office hesitated for several days to allow Nadia Shousher, a Canadian student of Lebanese origin to reserve a room for a public event.
12. After questioning Ms. Shousher about her ethnic origins, the personnel expressed their fears of repercussions were she to use the room as a forum to criticize Israeli policies. Specifically, the student was told the university administration did not want "any riots on campus."
13. Although Arab student activities had often in the past resulted in disruptive hooliganism organized by other students, usually intent on preventing the activities from taking place, Arab students themselves have never organized a protest or any other form of disruption of any on-campus event.
14. No administrative action has ever been taken against the students who had been involved in the organized disruption of Arab student events.

III. James Kafieh v U.W.O.

15. Following the difficulties Arab students experienced in 1987, the President of the Canadian Arab Federation, then Mr. James Kafieh, met with the university President to express his concerns about the situation on campus. In addition to the cases mentioned above, Mr. Kafieh expressed concern about the university's failure to respond to Arab student complaints relating to the publication of racist, anti-Arab caricature over a ten-year period in the student newspaper, The Gazette, and its refusal to respond to complaints relating to a number of organized disruptions of Arab student events. In correspondence with those who complained, the university President himself qualified the disruptions as "hooliganism", but claimed not to be able to act or even issue a public comment of disapproval.
16. The U.W.O. President asked Arab students and the London Arab community to make the details of their grievances known to his own specially appointed Ad hoc Committee on Race Relations, and instructed the Committee to give "serious thought" to the specific difficulties raised by Arab students.
17. The Committee proceeded to conduct hearings and distributed a questionnaire, which did not include mention of "Arab," "Palestinian," or "Muslim" in its lists of ethnic and religious groups that might have been able to report instances of racist attitudes and differential treatment at U.W.O. The Committee heard documented presentations from the Complainants and from the London Palestinian and Arab communities.
18. In June of 1989, that Committee issued a Report made public which identified the problem as "a perception" of "unequal access" to "certain university facilities and services" but recommended only "further inquiry" into this problem.
19. In spite of repeated requests from members of the Arab community, from the complainants and from Mr. Jim Kafieh, the U.W.O. President refused to act on the recommendation of further inquiry and would not even answer letters requesting information on what the University intended to do in response to the recommendation. All other Committee recommendations were acted upon without delay.
20. A second Race Relations Committee instructed not to inquire into Arab Student grievances recommended in 1992 that the U.W.O. President improve relations with the Palestinian community and suggested speakers and "pro-active" outreach to the local Arab community. The U.W.O. President refused to discuss follow-up to these recommendations.

Comment

What the Complainants sought most of all to achieve by their complaints is recognition on the part of the University administration that fear of a negative reaction by certain parts of the university or local Jewish communities to the on-campus activities of U.W.O.'s Arab and Palestinian students ought not to be a valid determinant or a relevant factor in its decisions to intervene against such activities or to discipline the students involved.

21. The Complainants are satisfied that the Settlement reached with the university administration provides both adequate redress for the Complainants, and necessary assurances that U.W.O. Arab and Palestinian students will enjoy the full and equal benefit of the university environment in the future.
22. In particular, the Complainants are satisfied that the U.W.O. administration now recognizes that Arab students ought to be able to participate in the university community on the same basis as all other students and faculty, and that they must be allowed to express their views in the frankest possible terms, within the laws of Ontario, without hindrance of any kind, fear of unwarranted administrative interference, public reprimand, or disciplinary measures designed to marginalize their contributions.
23. The Complainants are also satisfied that the administration understands that it is important that the university Deans, department Chairs and the President not identify with the political or cultural expectations of those who complain about the lawful activities of U.W.O.'s Palestinian or Arab students.
24. While the Complainants welcome these changes they regret that it has taken seven years for the university administration to acquire sufficient resolve to address Arab and Palestinian student grievances at U.W.O..
25. The Complainants stress that their acceptance of the University's offer to settle in no way implies that they have accepted or were satisfied by the work of the U.W.O. Race Relations Committee which stands in the Minutes of Settlement as something the complainants are being "offered" to improve this situation. However, not only has the university administration had no problem refusing to follow the recommendations of the Committee, the Complainants have been denied any access to the final Report produced by the Committee and to this day, the administration refuses to answer their request for an explanation as to why it will now allow access. Far from addressing Arab student grievances, the U.W.O. Race Relations Committee, operating under the control and supervision of the U.W.O. President, only served to protect the administration from any genuine scrutiny and delay resolution.
26. Because of the abusive delays, the Complainants increased their conditions of Settlement and requested that the university undertake an educational event on the topic of Palestinian identity and heritage. They suggested the university provide funding for a lecture on the question of Palestinian identity and suggested Dr. Edward Said, professor of English literature at Columbia University, New York.
27. The Complainants wish to express their disappointment at U.W.O.'s refusal to host Dr. Said as a speaker, an action that would have been consistent with its own Race Relations Committee's specific recommendations of speakers and "pro-active outreach" to the Palestinian community, not to mention the university's educational mission.
28. Although Dr. Said was hosted just last year by McMaster University in Hamilton for two lectures on the question of Palestine, the Respondents' legal advisor indicated to the OHRC that U.W.O. views Said as a "controversial figure" and for this reason, the university offered monetary compensation to the Complainants in lieu of any speaker at all. The Complainants are surprised by the university's attitude, especially in consideration of the fact that Dr. Said could have been hosted to speak for much less than the amount of compensation now being offered to the Complainants.

29. This leads to an inescapable conclusion about the propriety of the university's motivation for refusing to invite this leading intellectual: it is clearly a measure of the problems the university administration continues to have in relating to the Arab and Palestinian communities, difficulties which almost certainly result from an unfounded but definitely lingering concern over possible negative reactions to its association with these communities.
30. As a result, the Settlement Agreement does not succeed completely in reducing the uneasiness felt by the Complainants or the Arab and Palestinian communities.



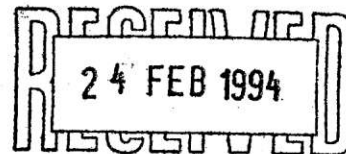
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44
The National Organization Serving Arab Canadians Since 1967

CANADIAN ARAB FEDERATION
LA FEDERATION CANADO - ARABE

PRESS NOTICE

February 8, 1994



University of Western Ontario to apologize for Acts of Anti-Arab Discrimination

The Canadian Arab Federation is pleased to announce that a settlement has been reached with the University of Western Ontario with respect to four complaints of anti-Arab discrimination filed with the Ontario Human Rights Commission. CAF believes that these cases are symptomatic of a climate of bias and discrimination towards Canadian Arabs and Muslims and those who associate with them within the educational and university setting.

Pursuant to the terms and conditions of a Final Settlement of the matter signed by all parties today, the University of Western Ontario has agreed to publish a public statement of sincere regret and apology for a number of instances of differential treatment of Canadian students of Palestinian and Arab origin by the university President, George Pedersen, and the former Dean of the UWO Law Faculty, Wesley Rayner. An open letter of apology to the Arab and Palestinian communities of the University of Western Ontario and the City of London will be published in three newspapers.

The Settlement Agreement reached with three U.W.O. students and the former President of CAF who filed complaints with the O.H.R.C. includes financial compensation to be paid to the complainants for mental anguish, assurances from the U.W.O. administration that it has taken steps to ensure that institutional discrimination directed against Canadian Arab and Palestinian students will not be tolerated and undertakings that the U.W.O. administration will carefully monitor the future equitable application of university policies.

The Settlement represents the second time the O.H.R.C. has had to intervene in connection with incidents of anti-Arab racism at U.W.O.. In 1985, the U.W.O. Students' Council issued a public apology for its refusal to ratify, in 1982, a Palestinian student club, Canadians Concerned for the Middle East.

The Canadian Arab Federation and the Complainants express the hope that the final Settlement reached in these O.H.R.C. complaints will serve to ensure that in the future, Palestinian and Arab students will be able to enjoy the full benefits of a university environment and the university's commitment to academic freedom for all its members.

FULL DETAILS AND DOCUMENTATION WILL BE PROVIDED AT A

NEWS CONFERENCE

Wednesday, February 9, 1994 at 11:00 a.m.

Kenora Room, Downtown Sheraton Hotel, 123 Queen St. West



Media release

The UNIVERSITY of WESTERN ONTARIO

Department of University Relations, London, Ontario N6A 5B8 (519) 661-2046 Fax: (519) 661-3921

FOR IMMEDIATE RELEASE

DURI 9
Feb. 9/94

PRESIDENT COMMENTS ON ONTARIO HUMAN RIGHTS SETTLEMENT

The President of The University of Western Ontario, Dr. George Pedersen issued the following statement today:

The University was informed this morning that the Canadian Arab Federation was holding a news conference in Toronto to announce the terms of a settlement reached with the University as the result of a complaint filed in 1987 with the Ontario Human Rights Commission (OHRC).

The complaint alleged that there were specific incidents on campus indicating that differential treatment was afforded to students of Arab or Palestinian origin. In particular, the complaint referred to events surrounding the appearance of a guest speaker sponsored by Canadians Concerned for the Middle East (CCME) in 1987.

After an investigation into the allegations the University determined that there were situations in which differential treatment appears to have occurred.

The University regrets this situation, and has consistently worked to initiate policies and procedures that provide an academic environment that promotes the dignity and worth of all ethnic origins and races across the campus and within the local community.

Western formulated and adopted a Race Relations Policy in 1990 and has established a full-time Race Relations Office, whose mandate includes raising the sensitivity and awareness of race relations issues throughout the University community, and to receive and investigate complaints.

A University Committee on Race Relations has also been formed, and Western is in the process of establishing an academic program in Middle Eastern Studies in conjunction with Huron College and the London Arab/Palestinian community.

These initiatives are outlined in an open letter which the University has agreed to publish in three community newspapers, pending approval by the OHRC.

While the University is satisfied that it will meet all the requirements of the settlement, official authorization has yet to be received from the OHRC. However the University believes that this seven-year old complaint can now be put to rest. Western shares the hope as expressed by the Canadian Arab Federation that "Palestinian and Arab students will be able to enjoy the full benefits of a university environment and the university's commitment to academic freedom for all its members."

LIGUE DES DROITS
DE LA PERSONNE DELEAGUE FOR
HUMAN RIGHTS OF
B'NAI BRITH CANADA

NEWS RELEASE / COMMUNIQUE

**B'NAI BRITH DISMAYED AT UNIVERSITY OF WESTERN ONTARIO
SETTLEMENT IN HUMAN RIGHTS COMMISSION COMPLAINT**

FOR IMMEDIATE RELEASE

February 10, 1994

London, Ont... The League for Human Rights of B'nai Brith Canada today expressed its dismay at the University of Western Ontario for reaching a settlement in a human rights complaint brought by a group of Arab students who had previously put up posters on campus that portrayed Israeli soldiers as Nazis.

"We are concerned that the university could reach a settlement with and apologize to a group that had produced posters that distorted and trivialized the memory of the Holocaust," said Dr. Alain Goldschlager, League for Human Rights London representative. "The poster that was distributed by the Arab students at Western showed a lack of respect for the memory of the Holocaust by comparing Israeli soldiers to SS killers."

"Many members of the University of Western Ontario community, including students and faculty members, are children or relatives of Holocaust survivors," added Dr. Goldschlager. "Those posters poisoned the environment for many in the University and wider Jewish Community."

The League for Human Rights of B'nai Brith Canada is a national volunteer agency dedicated to combatting racism, bigotry and anti-Semitism. The objectives of the League include human rights for all Canadians, improved inter-community relations and the elimination of racial discrimination and anti-Semitism.

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FOR MORE INFORMATION:

Dr. Alain Goldschlager, B'nai Brith London (519) 661-3820
Dr. Karen Mock, National Director (416) 633-6227
Joshua Schwarcz, Ontario Director

Anti-Arab complaint resolved

Students settle
with university

BY VIVIAN SMITH
The Globe and Mail

TORONTO — Seven years after launching a complaint to the Ontario Human Rights Commission regarding anti-Arab discrimination, a group of former students has reached a settlement with the University of Western Ontario.

At a Toronto press conference yesterday organized by the Canadian Arab Federation, commission spokesman Stewart Shackleton announced that the university has agreed to publish a public statement of regret and apology for the actions of president George Pedersen and the former dean of the UWO law faculty, Wesley Rayner.

An open letter of apology to the Arab and Palestinian communities at Western and to the City of London is to be published in the London Free Press and two campus papers. The university will also pay each of the four complainants \$2,000 for "mental anguish."

"I'm happy it's over but I'm disappointed it took so long," said Nadia Shousher, a Canadian of Lebanese descent and one of the complainants.

In the fall of 1987, Ms. Shousher said, she was asked "Are you an Arab?" when she tried to reserve a UWO room for a public event. An employee at the university's reservations office told Ms. Shousher that the administration didn't want "any riots on campus."

In another incident earlier that year, a poster advertising a lecture to be given on campus by a representative of the Palestine Liberation Organization was deemed offensive by Mr. Rayner, who asked for parts of it to be removed. Some members of the university's Jewish community had complained about the poster.

A drawing on it pictured Palestinian women and children surrounded by Israeli soldiers dressed in Nazi uniforms, which Mr. Pedersen said satirized the Holocaust. Two years earlier, the drawing won the grand prize at an annual cartoon competition in Montreal. The drawing, which was chosen by a panel of Canadian editorial cartoonists, was considered extremely controversial.

Another complaint said that the university failed to respond to Arab student concerns that the student newspaper, The Gazette, had published anti-Arab caricatures.

In a statement yesterday, Mr. Pedersen said: "After an investigation into the allegations, the University determined that there were situations in which differential treatment

London & Region

HUMAN RIGHTS

UWO agrees to apologize, pay Arab students \$8,000

Three complaints of 'differential treatment' were made in 1987

By Noel Gallagher
The London Free Press

The University of Western Ontario has agreed to issue apologies and offer \$8,000 in compensation to settle three complaints of "differential treatment of Arab students" filed with the Ontario Human Rights Commission in 1987.

The agreement — announced at a Canadian Arab Federation (CAF) press conference in a Toronto hotel Wednesday — calls for UWO to publish an apology to the Arab and Palestinian communities of the university and the city of London in *The Free Press* and both campus newspapers, *The Gazette* and *Western News*, and pay \$2,000 to each of the four complainants for their "mental anguish."

"I believe the complainants have been vindicated," said James Kafieh, a past-president of CAF and one of the four complainants. "Perhaps other universities will take to heart the lesson taught to Western today, that university campuses should show greater respect for differences and academic debate and not be places fostering intolerance and racism."

In his open letter of apology, university president George Pedersen admitted Western was slow in responding to the local Arab Palestinian community's "legitimate concerns" and failed to achieve "the ideals associated with freedom of speech" in the incidents cited. However, he added, UWO is now able to produce "a quicker identification and resolution of racial incidents" due to initiatives such as the development of a race relations policy, the establishment of a full-time race relations officer and creation of an advisory committee on race relations.

While he said he was pleased to put the seven-year-old issue to rest, Pedersen did object to the CAF holding a press conference before the agreement has been officially approved by the human rights commission, and without any UWO official or commission representative in attendance.

"Obviously, the fact (the press conference) was held in Toronto indicates the party holding it was more interested in the publicity value than in the cases themselves," said the university president.

Meanwhile, a CAF press release charged that the cases are "symptomatic of a climate of bias and discrimination toward Canadian Arabs and Muslims and those who associate with them within the educational and university setting."

THE THREE COMPLAINTS

□ A complaint was filed in March, 1987, by Maysoun Abusitta and Ken Fanni, then UWO students and executives of an Arab group on campus, Canadians Concerned for the Middle East (CCME) after university officials ordered removal of public notices advertising the appearance of guest lecturer Abdullah Abdullah, a Palestinian Liberation Organization representative, at UWO's faculty of law. UWO president George Pedersen said the drawing accompanying the notice — depicting a Palestinian child surrounded by Israeli soldiers — was "obscene" "highly inflammatory" and "satirized" the Holocaust. He reprimanded CCME president Abusitta and demanded that she apologize to the university community.

□ The second complaint was filed in the fall of 1987 when UWO's reservations office hesitated for several days to allow Nadia Sousher, a Canadian student of Lebanese origin, to reserve a room for a public event. University officials expressed fears that the room would be used as a forum to criticize Israeli policies. The student was told the university administration did not want "any riots on campus."

□ Again in 1987, James Kafieh, then-president of Canadian Arab Federation, filed a complaint against UWO for its failure to investigate, thoroughly and/or quickly, Arab student complaints regarding the "racist, anti-Arab" caricatures appearing in the student newspaper, *The Gazette*, over a 10-year-period as well as the "organized disruptions of Arab student events" and the "unequal access to certain university facilities and services."

THE DAILY STUDENT NEWSPAPER AT THE UNIVERSITY OF WESTERN ONTARIO

Thursday,
February 10,
1994

The Gazette

He's had
a few

VOL. 87, NO. 75

EST. 1906, LONDON, ONTARIO

MORE OF THE SAME

Arab students get apology

Pedersen offers regrets seven years after complaint lodged

By Sonya Roberts and Meghan Shinn
Gazette Staff

A seven-year-old accusation of racism against Western's administration has resulted in a cash settlement for three former students and an abject apology yesterday by Western president George Pedersen.

The Ontario Human Rights Commission announced yesterday a settlement between Western and the Canadian Arab Federation in connection with three complaints filed against the university in 1987.

The complaints stem from the university's handling and treatment of a long list of incidents dating as far back as 1975.

Central to the most recent hearing are three separate episodes resulting from a 1987 speaking engagement by Palestinian Abdul Abdullah, which was promoted with a poster — depicting Israelis as Nazis and Palestinians as prisoners of war — that Pedersen and then-dean of law Wesley Rayner deemed "obscene" and ordered removed after Jewish students complained.

But when Abdullah's speech was disrupted by Jewish students shouting obscenities and waving placards, complaints from Arab students and the on-campus group Canadians Concerned for the Middle East apparently fell on deaf ears.

Other complaints involved the school's refusal to allow Arab student Nadia Shousher to hold a press conference and the school's refusal to take action despite letters of complaint from former Canadian Arab Federation president James Ruffeh.

In a statement released yesterday, the

"differential treatment appears to have occurred" and that Western "regrets this situation."

Pedersen also issued an open letter of apology to Western's Arab and Palestinian community.

"On behalf of the university, I offer my personal apology for the treatment of and any hurt caused to the students and other members of the Arab/Palestinian community," he wrote.

Each of the four complainants — Ruffeh and former Western students Shousher, Maysoun Abusitta and Ken Frutini — will also be awarded \$2,000 each as part of the deal.

Complaint agent and attorney Stewart Shackleton said it was clear Western had reacted differently to the Arab groups than it had to other groups on campus.

"The administration took it upon itself to identify with the political and cultural expectations of Jewish students who complained about activities of Palestinians on campus," Shackleton said.

Pedersen admitted last night there was wrongdoing on the part of the administration, but added he did not wish to comment on Shackleton's "comments or behavior."

Ruffeh said yesterday he was disappointed in the time it took to resolve the matter.

"I don't believe the University of Western Ontario was acting in good faith," he said. "They were trying to use their power as a major Canadian institution to avoid responsibility for their actions in the hope that over time the complainants would just disappear."

Shousher said she was happy the case was over, but was unsatisfied with the resolution.

"These complaints should have been dealt with

CAMPUS

Western dodged speaker, lawyer says

Admin ignored Race Relations advice, rejected Said idea

By Sonya Roberts

Gazette Staff

11.2.94

Western's administration may have opted for a monetary settlement with the Canadian Arab Federation to avoid hosting a controversial Palestinian Afab speaker.

The settlement — announced yesterday by the Ontario Human Rights Commission — awarded four plaintiffs \$2,000 each after Western president George Pedersen admitted and apologized for racial bias stemming from three 1987 complaints about the university's dealings with Arab students.

But complaint agent Stewart Shackleton said the plaintiffs never wanted money — just a personal letter of apology from Pedersen and an formal invitation to speak on campus sent to scholar Edward Said.

Western's Race Relations Committee's 1992 report on relations between the university and its Arab and Palestinian community advised the administration to welcome suggestions "of speakers on Middle East issues."

But Shackleton said the university administration rejected CAF's proposal to invite Said, agreeing instead to a more costly resolution.

"It would have cost the university approximately \$4,000-\$5,000 to have Said

speak," Shackleton said.

"The settlement cost them \$8,000."

Pedersen said Wednesday he was advised by legal counsel that Said was too controversial a speaker to host.

Said previously spoke at Western in October 1985 as part of a lecture series. He also gave two speeches at McMaster University last year.

Former Western students Maysoun Abusitta and Ken Franni filed a human rights complaint in March 1987 after Pedersen and then-dean of law Wesley Rayner banned an "obscene" and "inflammatory" poster promoting a coming Arab speaker, but took no action when Jewish students disrupted the event with obscenities and placards.

Two more complaints were lodged when the university refused to allow Arab student Nadia Shousher to hold a press conference on campus, and when the school did not respond to then-CAF president James Kafieh's concerns about controversial cartoons in *The Gazette*.

Despite the resolution, Shackleton said, rifts between the university and the Arab community still run deep.

"I think [the administration] is uncomfortable being associated with the Palestinian and Arab communities at this university," he said.



The Gazette, (Montreal) July 20, 1985

Portuguese cartoonist winner among contest's 900 entries

A drawing depicting Israeli soldiers tormenting Lebanese women and children was awarded the grand prize at Montreal's 29th International Salon of Cartoons yesterday.

Drawn by Antonio Antunes Moreira of Portugal, the cartoon was chosen by five judges from 900 entries from more than 60 countries for its "immediate comment and visually arresting style."

Antunes Moreira, who had yet to be contacted by the judges at his home in Portugal yesterday, will receive a \$5,000 prize.

"It's a very controversial cartoon, to say the least," said Robert LaPalme, director of the salon.

Contest judge Terry Mosher (Am- lin), *The Gazette's* editorial cartoonist, acknowledged the cartoon's controversial content, but added that it was most appropriate in light of the impact Israel's invasion of Lebanon had on the world.

Another judge, Roy Peterson, editorial cartoonist of *The Vancouver Sun*, said the judges had no better choice than Antunes Moreira's entry.

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Herald INTERNATIONAL Tribune

Published With The New York Times and The Washington Post

PARIS, MONDAY, MAY 3, 1993

OPINION

Chicago Tribune

50 Years of European Progress



WARSAW 1943



SREBRENICA 1993

The London Free Press

FRIDAY, December 4, 1992

RACE RELATIONS

UWO urged to recruit more ethnic students

A committee report says the university community's attitude sometimes has been 'racist.'

By Debora Van Brenk
The London Free Press

Recruitment of ethnic students — and not just "upper middle class" white kids — should be a priority of the University of Western Ontario, the university's race relations committee has recommended in a report released Thursday.

The first annual report of the committee says many of the university's recruiting efforts have focused on high schools with a "low ethnic mix," its curriculum has been "Eurocentric," and the university community's attitude sometimes "racist."

University president George Pedersen is asking the university and any other interested people to respond to the report and its eight recommendations by Jan. 15.

At least one recommendation, reviewing the institution's race relations policy, will be implemented "for sure," he said.

He, the board of governors and the senate will examine the other recommendations, and community response to them, before deciding which to implement or change. "This is obviously an area of intense interest within the university" and outside, Pedersen said.

REASONABLE REMEDIES: Rod Singh, chairperson of the committee (which had student, administration, staff and community representation), said "I think it's a reasonable report that suggests some reasonable remedies" to problems that have existed at the university.

It says students of various ethnic backgrounds should be "pro-actively" recruited and that admission scholar-



UWO president George Pedersen is asking the university to respond to the eight recommendations on race relations by Jan. 15.

ship money be raised and made available for those groups. No student number quota is proposed.

EUROPEAN VIEW: Students have complained courses are "Eurocentric" — that is they reflect mostly a Europe-based view of history, art, language and culture. The committee wants the university to state its support for the Centre for Middle East Studies at Huron College.

That is largely based on a long-running dispute involving the Arab / Palestinian community (at Western and throughout London) now before the Ontario Human Rights Commission.

The report says students of Arab-Palestinian background "have complained of a hostile climate on campus toward them" and refers to an appendix not released with the report.

The appendix recommends four changes to better the university's relationship with those students, including a proposal that Western apologize for the delay in responding to their concerns.

RACE RELATIONS RECOMMENDATIONS

The first annual report of the UWO committee on race relations recommends that the university:

- ☐ Recruit students from high schools with a variety of ethnic and socio-economic backgrounds.
- ☐ Ask its development office to help raise money for admission scholarships for these designated groups.
- ☐ Accommodate students when university events (exams or assignments) clash with their religious holidays (e.g. Ramadan, for Muslims).
- ☐ Endorse and consider committing or raising money for the Centre for Middle East Studies at Huron College, and develop other programs such as native, black and Caribbean studies.
- ☐ Improve its relations with the Arab / Palestinian community and with the student organization, Canadians Concerned for the Middle East.
- ☐ Mandate that the committee on race relations review the university's race relations policy.
- ☐ Require the committee to submit its annual report directly to the university president, who will release it to the community.
- ☐ Change the name of the race relations committee to the race relations and anti-racism education committee of the University of Western Ontario to reflect its independence from administration.

RACE: University urged to recruit ethnic students

► From page A1

Pedersen and committee members contacted said the issue was "sensitive" and they would not discuss specifics of complaints dating back to 1987.

"We're well along in negotiating a resolution of this thing and we can't be in a position to jeopardize" the process under way among the university, complainants and the human rights commission, said Bill Wilkinson, a committee member and director of equity services for the university.

Some changes are already under way: Recruiting posters now "tend more to reflect the multicultural nature of the campus" than former ones, Singh said.

SEPARATE REPORT: The paper released Thursday was accompanied by a separate report of the university race relations of-



Race relations officer Leela MadhavaRau received 36 complaints of racial discrimination or harassment.

ficer, Leela MadhavaRau.

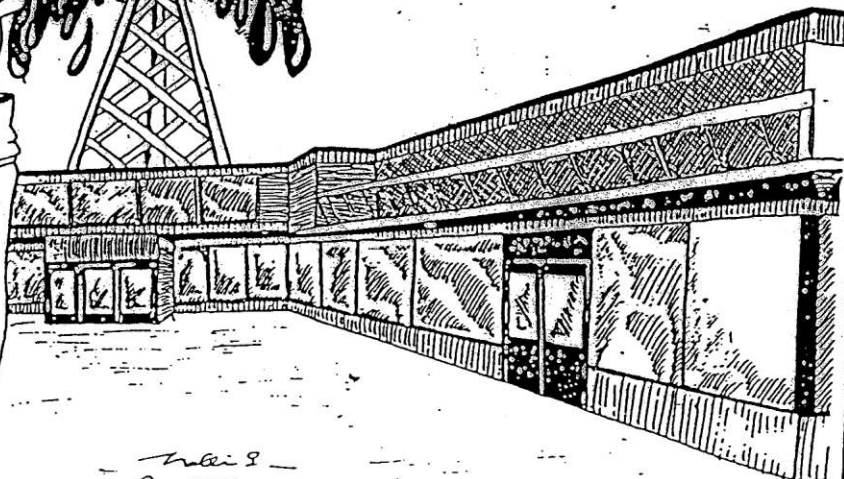
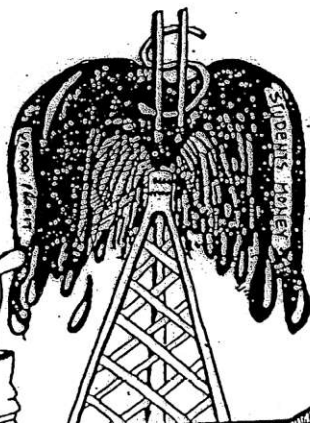
MadhavaRau said her office received 36 complaints, most of them from students, of racial discrimination or harassment in this, its first year of operation.

She said encouraging diversity is a large task but "I think we have to be very tenacious and keep coming back and making sure those recommendations aren't lost at some point along the line."



UWO Gazette Jan. 16, 1976

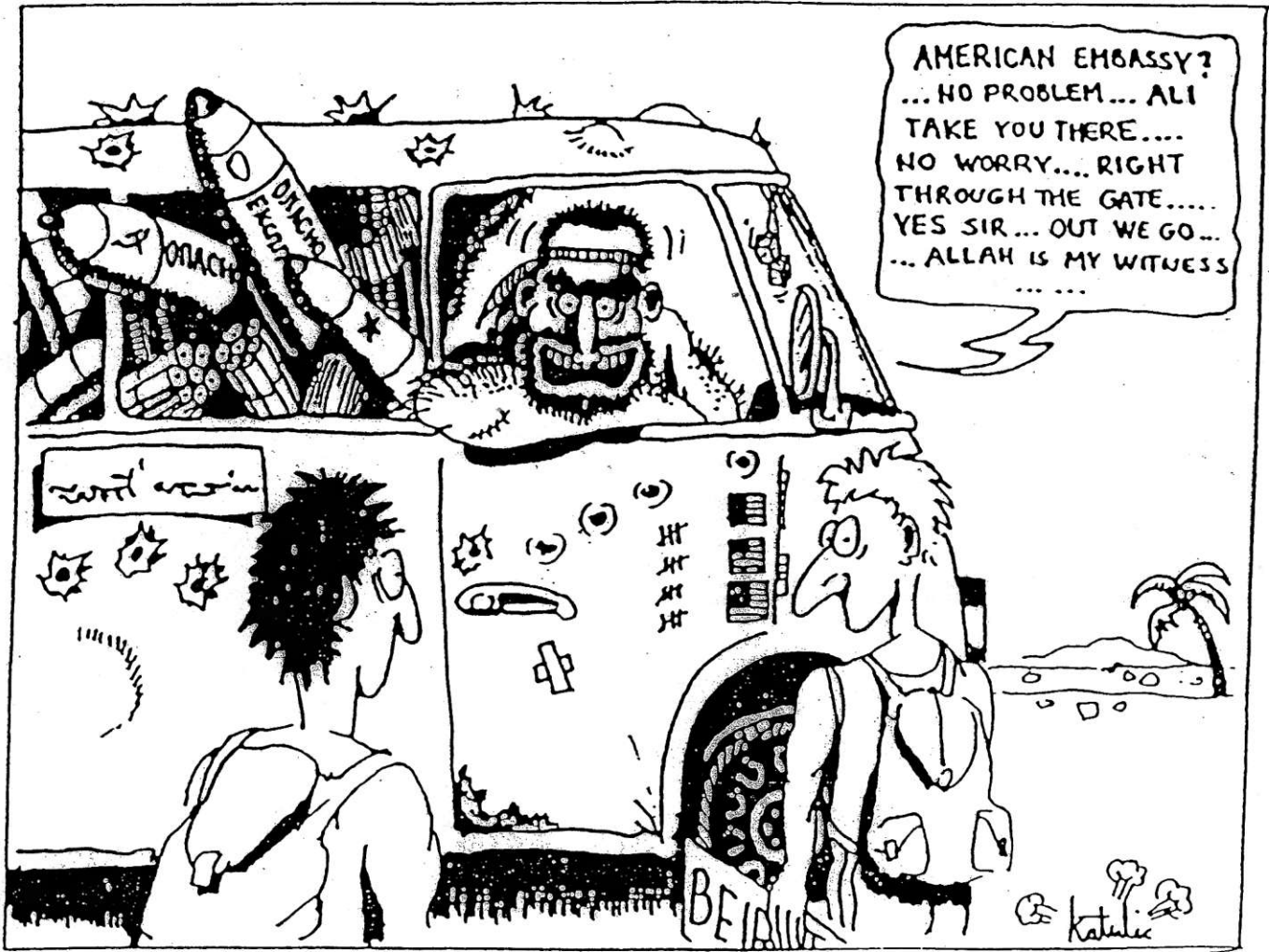
This only gives us \$278,000
of their profit over the past few
years.. Well, that's not much at all!
Wait till we raise the elbow prices!



Travis
Gazette 7

How to make a million - UCCD style

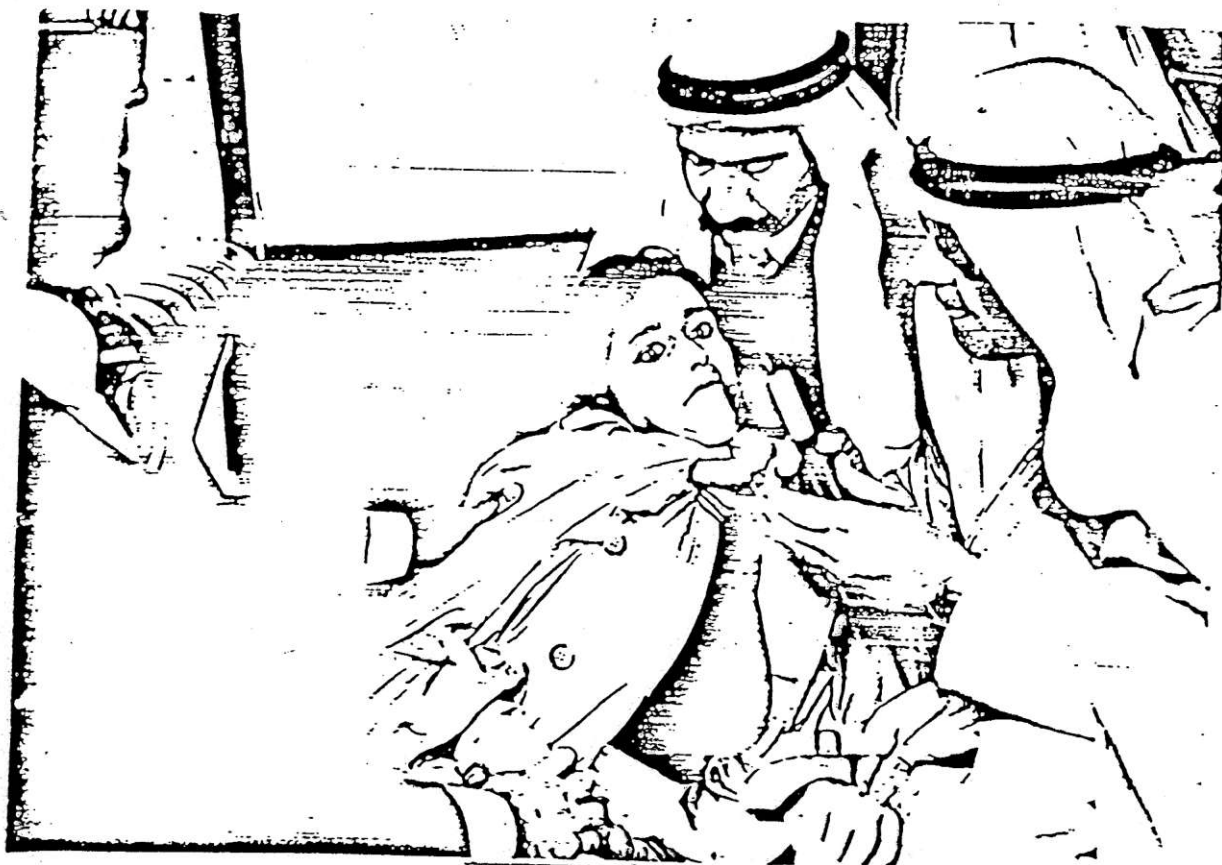
THE GAZETTE, Friday, March 27, 1987



Gazette, Feb. 6, 1986

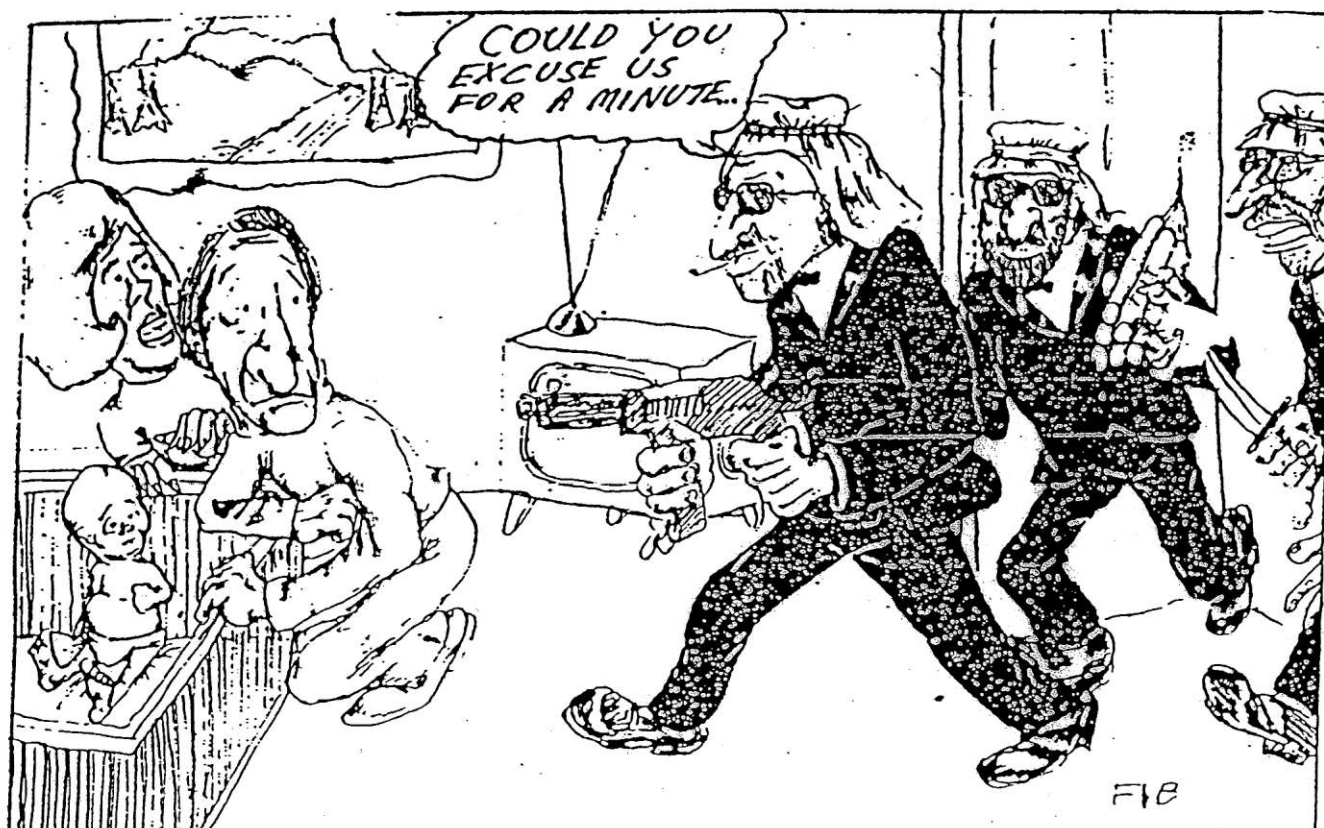


Gazette
office
poster
1982
-1983



Gazette editor-in-chief Susan Delacourt urges members of the CPME to consider writing a letter to the editor to convey their disapproval of editorials.

Oct., 1979: A Gazette cartoon portrays Arabs as ugly, grotesquely featured terrorists with knives, guns and bombs (Oct., 16, 1979):





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March 9, 1994

VIA FAX 414/229-4553 AND FIRST CLASS MAIL

Mr. John Schroeder, Chancellor
University of Wisconsin at Milwaukee
P.O. Box 413
Milwaukee, WI 53201

Dear Chancellor Schroeder:

I am the Director of Legal Services of the American-Arab Anti-Discrimination Committee (ADC). ADC was founded by former Senator James Abourezk in 1980 to combat discrimination against and stereotyping of Arab-Americans. With its thousands of members organized into approximately 75 chapters in the United States, ADC has grown into the largest organization of Arab-Americans in the country.

Recently, the Palestine Human Rights Campaign (PHRC) at the University of Wisconsin at Milwaukee contacted ADC. It reported that PHRC had hung a banner in the concourse of the student union showing the flag of Nazi Germany evolving into the flag of the state of Israel. The evolving flag is captioned, "Five Decades of Evolution."

The Palestine Human Rights Campaign released a statement explaining that it hung the banner to show that the kind of injustice and persecution that Nazis once committed against Jews is now being perpetrated by Israelis against Palestinians.

We have been informed that four members of the UWM community attempted to vandalize the banner, and were caught in the act by campus police. Though members of PHRC have asked that the identities of the vandals be revealed, the University has thus far refused to do so.

We are writing to urge you to protect the free speech rights of the members of the PHRC, and to urge that Arab-American students on the campus of the UWM be treated in a non-discriminatory manner by University officials.

In hanging the banner in question, the students at UWM are sending an inherently political message decrying Israeli abuses in the occupied Palestinian territories. Equating those abuses to the atrocities of the Nazi regime is clearly intended to draw attention to, and seek support for, the struggle for human rights for Palestinians living under Israeli occupation in the West Bank and Gaza.

American-Arab Anti-Discrimination Committee

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James Abourezk, Chairman
Albert Mokhiber, President

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Paul & Esther Rask
Dr. Safa Rifka
Michael Saba
Edward & Mariam Said
Samar Scikakini
Archbishop Philip Saliba
Harold Samhat
Henry Schwarzschild
Richard Shadyac
Archbishop Michael Shaheen
Hisham Sharabi
Dr. Suad Shuber
Archbishop Joseph Tawil
Abdulla Warrayat
Stephen P. Yokich
Joe Yusuf
Dr. George Younan

John Schroeder, Chancellor
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Strip. The message is political, not hateful. It condemns, rather than condones, racist practices.

This kind of speech is indeed provocative. However, provocative messages are the very kind of speech that a state university such as UMW must, by law, permit and protect. Free speech is not a luxury students enjoy, it is a right.

The U.S. Supreme Court recently addressed this right in the context of the free speech debate. In R.A.V. v. City of St. Paul, 112 S. Ct. 2538 (1992) the Court struck a St. Paul ordinance as an impermissible infringement of free speech. That ordinance made the placement of a symbol (including a Nazi swastika), object, or words a misdemeanor if the person placing the symbol had reasonable grounds to know that the symbol would arouse "anger, alarm or resentment" in others on the basis of race, color, creed, religion or gender. St. Paul City Ordinance Section 292.02. The Court struck the ordinance unanimously. The plurality opinion indicated that the ordinance had to be struck because it prohibited speech merely on the basis of content.

Interestingly, diverse organizations submitted briefs encouraging the Court to strike the ordinance. Those organizations included the American Jewish Congress, which argued that the ordinance was unconstitutional. American Jewish Congress expressed concern that under such an ordinance, the Star of David could be banned because Palestinians view the Star of David as an offensive symbol. "The Hate Debate, Legal Times, December 2, 1992, p.9. In other words, diverse elements of the community favor the preservation of free speech, even if a vocal minority complain that particular speech is offensive.

Likewise, a vocal minority may not cause state actors to bar speech -- especially political speech -- merely by labelling the speech "hateful." Such control cannot be permitted in a democratic society, and in particular, in a campus setting where the "marketplace of ideas" should be most bountiful.

For the same reasons the Court struck the St. Paul ordinance in R.A.V., UWM is required to permit the speech embodied in the controversial banner hung in the student union. Governmental officials cannot choose to permit or ban speech based on its content, or merely because it is provocative.

Indeed, University officials must affirmatively protect such speech. For example, in Terminiello v. Chicago, 337 U.S. 1 (1949) the Court held that language which merely makes the listeners angry, or which invites dispute, cannot be banned for that reason. Similarly, the speech at hand should not be banned as the "fighting words" that concerned the court in Chaplinsky v.

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New Hampshire, 315 U.S. 568, 571-2 (1942). There is no imminent riot at UWM. In Cox v. Louisiana, 379 U.S. 536 (1965) and in Edwards v. South Carolina, 372 U.S. 229 (1963) the Court held that mere generalized fears that violence might erupt cannot justify the banning of provocative speech, and that where officials can protect the speaker and the speech, they must.

I inform you of the precedents so that you can be assured that the PHRC students are on solid legal grounds when they appeal to the UWM for protection of their speech. We encourage you to offer them that protection.

We have grave concerns about the actions of the University to date with respect to PHRC and Arab-American students. Though the University is aware of the identities of the students who attempted to vandalize the banner hung by PHRC, it has failed to identify those students to PHRC. The PHRC students have a legitimate need for this information: those who commit violence to particular speech may intend to commit violence to particular speakers. Failure to identify the students responsible for this violence can contribute to the climate of fear among the Arab-American students. From whom must they protect themselves? What will the University do to protect them and their property?

A statement released by the Chancellor's office reportedly condemned the banner and reportedly mentioned no measures that the University would take to protect the speech or the speakers. Such actions cannot help but contribute to the sense of fear and isolation that a minority on the campus are attempting to instill in the PHRC and Arab-American students.

ADC is prepared to stand with the students to protect their rights. The situation at hand bears a striking resemblance to a case involving Canadian-Arab students at the University of Western Ontario, Canada (UWO), a case which we followed closely.

There, Canadian-Arab students filed complaints with the Ontario Human Rights Commission alleging in part that UWO officials ordered removal of provocative public notices advertising the appearance of a spokesperson for the Palestine Liberation Organization. The notices contained a cartoon depicting a Palestinian child surrounded by Israeli soldiers. UWO removed the notices, labelling them "obscene," "highly inflammatory," and satirical of the Holocaust. The Canadian-Arab students also alleged that UWO discriminated against them by permitting organized disruption of events hosted by Canadian-Arab students. A few weeks ago, UWO settled the case by agreeing to publish apologies to the Canadian-Arab students for treating them in a discriminatory manner, and by paying them a total of \$8,000. I enclose additional information about that case.

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We are hopeful that UWM will take a different approach and uphold the free speech rights of the PHRC students, and the equal protection rights of all students of Arab descent on the campus of UWM. Their speech must, by law, be both permitted and protected by the University.

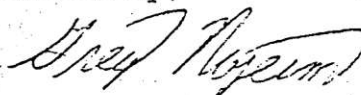
This is a lofty ideal, worthy of the expansive, often-cited language used by the Terminiello Court:

[A] function of free speech under our system of government is to invite dispute. It may indeed best serve its high purpose when it induces a condition of unrest, creates dissatisfaction with conditions as they are, or even stirs people to anger. Speech is often provocative and challenging. It may strike at prejudices and preconceptions and have profound unsettling effects as it presses for acceptance of an idea. That is why freedom of speech, though not absolute, . . . is nevertheless protected against censorship or punishment, unless shown likely to produce a clear and present danger of a serious substantive evil that rises far above public inconvenience, annoyance, or unrest There is not room under our Constitution for a more restrictive view. For the alternative would lead to standardization of ideas either by legislatures, courts, or dominant political or community groups.

Terminiello v. Chicago, 337 U.S. at 4-5.

We look forward to your response to these concerns.

Sincerely,



Gregory T. Nojeim
Director of Legal Services

Enclosures (by mail only)

cc: Ms. Carmen Witt, Dean of Students
American Civil Liberties Union of Wisconsin

bcc: Ed Loebach ✓